

CITY COUNCIL COMMITTEE OF THE WHOLE: 6:00 PM

- a. Duvall's Centennial Update & Presentation – 15 minutes
- b. Revenue & Expenditure Report & Quarterly Investment Report – 20 minutes - Jill Long
- c. SCA PIC Memo regarding KCD – Amy Ockerlander
- d. Bid for the Coe-Clemmons Creek Restoration – Alana McCoy

**CITY OF DUVALL
COUNCIL MEETING AGENDA**

July 26, 2012

7:00 PM

Duvall Fire Station - 15600 - 1st Avenue NE

Call to Order

Flag Salute

I. Additions or Corrections to the Agenda:

II. Adoption of the Council Agenda:

III. Comments from the Audience:

IV. Consent Agenda:

Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the regular Agenda at the request of a Councilmember.

- 1. Council Minutes of 7-12-12
- 2. Payroll for July 1 – 15, in the amount of \$ _____
(to be provided)
- 3. Claims in the amount of \$ _____
(to be provided)
- 4. Excuse the absence of Councilmember Leroy Collinwood
- 5. (AB12-65) Approve and authorize the Mayor to sign a contract with the lowest responsible bidder for the Coe-Clemmons Creek Restoration project.

V. Presentation: None

VI. Scheduled Items:

- 1. Mayor:
- 2. Council:

**VII. Public Hearing: City of Duvall 2012 Zoning Code Amendments to
Chapter 14.50 Signs**

VIII. New Business:

1. A resolution in opposition to human trafficking.

IX. Executive Session: *None*

X. Adjournment

**CITY OF DUVALL
COUNCIL MEETING
July 12, 2012
7:00 P.M. - Duvall Fire Station**

**Committee of the Whole: 5:30 p.m. Eagle Scout Ceremony at Big Rock Ball Park
6:00 p.m. Final Sign Code Review – City Council Chambers**

The City Council Meeting was called to order by Mayor Ibershof at 7:05 P.M.

Council Present: Gérard Cattin, Leroy Collinwood, Elizabeth Walker, Becky Nixon, Amy Ockerlander, Jason Walker (Absent – Gary Gill)

Staff Present: Steve Leniszewski, Police Chief Glenn Merryman, Jill Long, Lara Thomas, Duvall Fire Chief David Burke, City Attorney Bruce Disend, Jodee Schwinn

I. Additions or Corrections to the Agenda:

Under Consent Agenda add: Payroll Checks #15388-15405, in the amount of \$221,110.56; Claims Checks #15406-15492, in the amount of \$360,489.39; and excusing the absence of Councilmember Gary Gill. Under New Business add: Item #3 (AB12-64) a Resolution expressing support for the King County Proposition No. 1, Children and Family Services Center Capital Levy. Under Council add: Councilmembers Cattin, Ockerlander, and Nixon

II. Adoption of Council Agenda:

It was moved and seconded (Ockerlander-Cattin) to adopt the 7/12/12 Council Agenda. The motion carried. (6 ayes).

III. Comments from the Audience:

Ray Burhen, Duvall resident, said he realizes that it is getting time for the Council to start looking at budget appropriations for next year. He heard that funding for the Senior Center may be in jeopardy. He really hopes that the City provides some funding for the Senior Center in the 2013 Budget. He also commented that the Senior Center is not just another non-profit in the City of Duvall, but is really an arm of the City. In larger cities these senior services would be part of a city's Parks & Recreation Department. He said that he hopes that the City will find a way to provide some funding for the Senior Center.

Margie Coy, Duvall community member and business owner, said she wanted to give her comments on the sign code amendments and update. She said she is very appreciative and thanked everyone that has worked really hard on the sign code update. She

emphasized that she has been a business owner in Duvall for 30 years, but is also a community member. She has been attending the sign code update meetings and wants the City Council to be sure to also consider the sign code update from a community member standpoint. She has heard a lot of concerns from the businesses in town regarding signage and acknowledges that there is a great need for that, but she also thinks that Council needs to be sure and listen to the community. Safety is important to consider, as well as how the signage is going to look in Duvall, especially temporary signage.

IV. Approval of Consent Agenda:

It was moved and seconded (Ockerlander-Nixon) to approve the consent agenda which included approval of Payroll Checks #15388-15405, in the amount of \$221,110.56; Claims Checks #15406-15492, in the amount of \$360,489.39; approving the Council Meeting Minutes and Committee of the Whole Minutes of 6/28/12; and Excusing the absence of Councilmember Gary Gill (6 ayes).

V. Presentation: Sno-Valley Senior Center - Update

Amara Oden, Director, Sno-Valley Senior Center, gave a Powerpoint presentation on the Senior Center. She presented and explained a revenue chart detailing where funding for the Senior Center comes from. She also gave an in-depth overview of the services that the Sno-Valley Senior Center provides to the residents in Duvall and the Snoqualmie Valley. She explained how important Duvall's support has always been, and she urged the City Council to continue its support of the Sno-Valley Senior Center in the City of Duvall 2013 Budget.

Presentation: Duvall-Carnation Police Department Annual Statistical Report

Mayor Ibershof presented Police Chief Merryman and the Duvall-Carnation Police Department with a plaque in appreciation and acknowledgement of keeping the citizens of Duvall safe and maintaining one of the lowest crime rates in the State of Washington.

Chief Merryman introduced Officer Batiot and Officer Carswell of the Duvall Police Department. Each officer shared how long they had been in law enforcement, and explained what their specialty and area of expertise is for the Police Department.

Chief Merryman presented the 2011 City of Duvall Police Department Annual Statistical Report.

VI. Scheduled Items:

1. Mayor: Mayor Ibershof wanted to emphasize that although the 2013 budget discussions have begun, no decisions have been made on funding or cuts to funding.

Mayor Ibershof also said he is currently seeking suggestions for the City of Duvall 2011 Volunteer of the Year and Youth Volunteer of the Year. He is hoping to hold the volunteer recognition ceremony at the second Council Meeting in August. Mayor Ibershof has also asked the Centennial Committee to provide a list of names recommending people that may be honored with one of the Historical Centennial Street Signs that are being created for Duvall's Centennial Celebration in 2013.

2. Council:

a. Councilmember Amy Ockerlander reported that she attended the King County Domestic Violence Initiative Quarterly meeting. A very informative presentation was given on Domestic Violence. She also attended the Suburban Cities Association Public Issue Committee meeting. She distributed copies of some draft Principles pertaining to the King Conservation District. The City of Duvall may be asked to take a position on this issue in August. She asked that any Councilmembers that may have any feedback on this issue to bring it up at the next meeting for discussion so that she can take any concerns forward to the next Public Issues Committee meeting. Lastly, she reported that the Public Issues Committee voted unanimously to send a public policy position to the Suburban Cities Association Board for approval requesting that King County put the Automated Fingerprint Identification System (AFIS) Regional Program on the November Ballot for renewal.

b. Councilmember Gérard Cattin reported that he attended the King County Emergency Management Advisory Council and the Homeland Security Council Meeting. A number of issues were discussed including the Resource Inventory Management System (RIMS) Grant Program. Regional Granting, the granting process, and funding was also discussed. Councilmember Cattin also commented that cyber crime is now becoming more lucrative than drug crimes and that is an area of great concern.

c. Councilmember Becky Nixon shared that she recently had a constituent tell her that she cannot hear what is being said by the City Council and by some of the city staff when they are speaking at City Council Meetings. Councilmember Nixon suggested that the City may need to consider getting microphones. Lastly, she reminded everyone that the annual Sandblast Event is coming up the weekend of July 21st and 22nd.

VII. Public Hearing: A resolution in support of King County Ballot Measure Proposition No. 1 Children & Family Services Center Capital Levy.

8:08 PM: The Public Hearing was opened.

No members of the public spoke to the Public Hearing.

8:08 PM: The Public Hearing was closed.

VIII. New Business:

1. (AB12-62) Ordinance #1136 amending Duvall Municipal Code 2.01.070, Council Committees. *It was moved and seconded (Walker-Nixon) to adopt Ordinance #1136 amending the Duvall Municipal Code 2.01.070, Council Committees. The Motion carried. (6 ayes).*

2. (AB12-63) Resolution #12-07 amending the Council Procedures 2.2, City Council Committees. *It was moved and seconded (Nixon-Cattin) to approve Resolution #12-07 amending the Council Procedures 2.2, City Council Committees. The Motion carried. (6 ayes).*

3. (AB12-64) Resolution #12-08 expressing support for the King County Proposition No. 1 Children & Family Services Center Capital Levy. *It was moved and seconded (Ockerlander-Cattin) to approve Resolution #12-08 expressing support for the King County Proposition No. 1 Children & Family Services Center Capital Levy. The Motion carried. (6 ayes).*

IX. Scheduled Items – Staff Reports:

Public Works: Steve Leniszewski reported that the City received 12 signage complaints concerning the temporary signage that was put up advertising the Fire Works Stand in Duvall. He commented that it was a fairly high number of complaints for Duvall. Steve also gave an update on general public works activities. He reported that the Carrie Rae Retention Pond project is underway, housing and active plats are busy and moving along well, and the public works yard expansion project was presented to the Planning Commission. Steve distributed a hand-out summary of upcoming budgeted projects, the funding obligations, and REET funds.

b. Finance: Jill Long announced that the 2013 budget process document and the budget calendar is on the City's website. She reported that the budget is underway and staff is working on their budget proposals. The budget worksheets are due back to finance on July 20th. She will be presenting the City's mid-year reports at the next Committee of the Whole Meeting. At the next City Council meeting she will be presenting the mid-year reports. She reported that it looks like Duvall's one-time share of the State's revenue from the sale of the State-run liquor stores is about \$15,000.

c. Police: Chief Glenn Merryman commented that he highly supports the King County Regional Automated Fingerprint Identification System (AFIS) Program, and that levy is going to be very important. If there is interest, he can request that they come out to a City Council meeting and give a presentation to Council.

d. Fire: Fire District #45 Chief David Burke gave an update on the Fire District. Their call volume is close to normal for the year. Chief Burke reported that a burn ban was enacted this week. He also announced recent promotions and accomplishments within the Fire Department. He reported that the Fire District is anticipated losing \$320,000 in revenue next year due to the drop in assessed value. He also gave an update on current

projects and safety items that the district is focusing on. He will be working on implementing a “Don’t Text and Drive” campaign this fall, and also increasing awareness of the dangers of vehicular heat stroke.

X. Executive Session: Litigation – 5-Minutes
RCW 42.30.110(1)(i)(A).

8:47 p.m. The Council Chambers were cleared for a 5-minute Executive Session regarding Litigation.

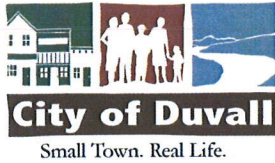
8:52 p.m. The Regular Council Meeting was called back to order.

XI. Adjournment:

*It was moved and seconded (Cattin-Nixon) to adjourn.
The meeting adjourned at 8:52 p.m.*

Signed _____
Mayor Will Ibershof

Attest _____
Jodee Schwinn, City Clerk



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PLANNING DEPARTMENT STAFF REPORT

TO: Mayor and City Council
FROM: Ben Swanson, Associate Planner
HEARING DATE: July 26, 2012
PROJECT: Repeal and Replace 14.50 DMC - Signs; CA10-002

I. INTRODUCTION

Proponent /Property Owner: City of Duvall, PO Box 1300, Duvall, WA 98019

Project Description: Repeal existing sign code and replace with new chapter 14.50 DMC.

Requested Action: Hold a public hearing and take public comment

Review Process: Type IV, City Council decision

Exhibits:

1. Staff Report
2. Proposed 14.50 DMC - Sign Code (revision include comments from July 18th Planning Commission Public Hearing)
3. Ad-hoc Sign Committee recommendation
4. SEPA Requirements
5. Department of Commerce Requirements
6. Public Notice
7. Ordinance #808
8. Public comments

II. DETAILED PROJECT DESCRIPTION/ANALYSIS

The purpose of this report is for the City Council to review the proposed sign code (Exhibit 2). Based on research by City staff, the majority of current Sign Code (Chapter 14.50 of the Duvall Municipal Code) was adopted in 1996 through Ordinance #808 (Exhibit 6). Although there have been minor modifications to the Sign Code since 1996, the Sign Code is in need of a comprehensive update. A goal of the Sign Code update is for sign regulations to support current City goals, including those related to community design and Comprehensive Plan elements (City Wide Visioning Plan and Downtown Sub-Area Plan). The Sign Code update was initiated in 2010 to address the outdated elements and reference in the existing code. During the sign code update City staff held meetings with the Sign Committee, City Council, Planning Commission, the Chamber of Commerce, and Rotary Club. Additionally, an open house was held to allow the public to comment and ask questions regarding the proposed code.

To begin the process, a Sign Committee was created with city staff on hand to facilitate and answer questions. The Committee is comprised of community members, business owners, non-profits, appointed and elected officials. During this process staff also updated the Planning Commission and City Council regarding the development of the proposed code. After 11 meetings over an 18 month period, the Sign Committee presented the draft code to the Planning Commission to review. Changes worth noting include:

- Increased monument height (from 8 to 10 feet)
- Increased monument square footage (from 32 to 48 square feet)
- The inclusion of monument sign that has a two column base vs. the traditional solid base (Smaller business may take advantage of this option as it is more economical)
- Increased allowable sign area (a proportional approach)
- Set a maximum wall sign size to 150 square feet
- Set location for community event banners
- The committee is proposing design review for monuments, two column signs, and wall signs greater than 100 square feet (the PC will serve as the design review committee)
 - Added descriptive language and pictures

In May of 2012, the Planning Commission began their review of the draft sign code. After nine meetings discussing the proposed sign code, the Commission accepted the majority of the Sign Committee's version of the draft code with amendments. Some of the proposed changes by the Planning Commission include, allowing banners and other displays on a temporary basis throughout the year, allowing A-boards within the business property line and adjacent right-of-way, and reducing the size of A-boards.

In conjunction with the review of the proposed sign code, the Planning Department recommends Planning Commission and City Council evaluate permit fees, fines and penalties associated with the proposed code.

If approved, the proposed action will repeal the existing 14.50 DMC and replace with the proposed sign code (Exhibit 2).

III. STATUTORY REQUIREMENTS

SEPA Compliance:

A Determination of Non-Significance was issued on June 6, 2012 (Exhibit 4) and no comments were received by the City. The SEPA appeal date ends on June 27, 2012.

Department of Commerce Compliance:

On April 3, 2012, the City notified the Department of Commerce pursuant to RCW 36.70A.106, of intent to adopt a new sign code. On April 4, 2012, the Department of Commerce confirmed receipt of the material (Exhibit 5) and assigning Material ID # 17968. As required, the City will forward a copy of the adopted code to Commerce.

Public Hearing Notice:

A Notice of Public Hearing was published in the Seattle Times on July 16, 2012, (Exhibit 5) and posted at Duvall City Hall, the Library and the Post Office. All legal requirements for public notice have been satisfied.

DMC 14.50 Text Amendments:

Duvall Municipal Code requires that text amendments follow the procedures for a Type VI permit, the procedure type used for CA10-002. DMC 14.80.030.A states, "All text amendments processed under this

section shall be in conformance with the Duvall Comprehensive (Plan) and consistent with the purpose of this Title.” The proposed text amendments are in conformance with the Duvall Comprehensive Plan.

VI. FINDINGS AND CONCLUSIONS

1. The proposed project has been reviewed under the provisions of the State Environmental Policy Act (SEPA). A Determination of Non-Significance was issued on June 6, 2012. No SEPA comments or appeals were filed.
2. The notice of public hearing before the City Council for CA10-002 was duly advertised in accordance with the Duvall Municipal Code.
3. CA10-002 has been reviewed for consistency with the Duvall Comprehensive Plan and the Duvall Municipal Code and has been found to be consistent with that policy.
4. Adoption of the proposed text amendments furthers the public health, safety, and general welfare.
5. Documentation supporting the findings of fact is located in the file CA10-002, which is adopted by reference into this approval.
6. Planning Commission opened the public hearing for CA10-002 on July 18, 2012, and the hearing remains open.

VII. RECOMMENDATION

Staff recommends that the Duvall City Council open the public hearing and take public testimony and will provide an updated recommendation at the August 9, 2012, meeting based on Planning Commission's final recommendation on CA10-002 that takes place on August 1, 2012.

Chapter 14.50 - SIGNAGE

- 14.50.010 - Purpose.
- 14.50.020 - Applicability.
- 14.50.030 - Permit required.
- 14.50.040 - Application information.
- 14.50.050 - Prohibited signs.
- 14.50.060 - Exempt signs.
- 14.50.070 - Interpretation of tables and design standards.
- 14.50.080 - Allowed sign types and design review.
- 14.50.090 - Allowable sign area.
- 14.50.100 - Review and modifications to standards.
- 14.50.110 - Measurement methods.
- 14.50.120 - General sign design standards.
- 14.50.130 - Design standards for specific sign types.
- 14.50.140 - Compatibility and Design Review Requirements.
- 14.50.150 - Temporary Signs.
- 14.50.060 - Master Sign Plan.
- 14.50.070 - Removal of Signs.
- 14.50.080 - Definitions.

14.50.010 - Purpose.

The purpose of the Duvall sign code chapter is to:

- A. Ensure all signage meets the intention of the City-Wide Visioning, Downtown Sub-Area, Duvall Municipal Code 14.34.060(B)(10) and Comprehensive Plan;
- B. Provide necessary signage to support central gathering places, increase social interaction, and encourages walkability;
- C. Support a full range of signs necessary to support commercial services in the City;
- D. Regulate signs in a manner that is timely, flexible, predictable, fair to all and that result in superior development; and,
- E. Prevent visual and physical clutter caused by too much signage throughout the City.
- F. Allow and promote positive conditions for sign communication while at the same time avoiding nuisances to nearby properties.

14.50.020 - Applicability.

Except as provided for in DMC 14.50.060 – Exempt Signs, all signs shall be subject to the design provisions of this chapter; provided, that specific sign standards and design requirements

may be further established through the Unified Development Regulations or building permit review and shall be determined during the applicable review process.

14.50.030 - Permit required.

- A. Except as otherwise permitted by this chapter, no sign shall be erected, altered, or relocated without approval by the Planning Director;
- B. No permit shall be required for repainting in like colors, cleaning, or other normal maintenance and repair of a sign, including replacement of portions of the sign that do not alter the size or structure of the sign or compliance with the design standards.

14.50.040 - Application information.

The applicant shall have the burden of demonstrating that a proposed sign(s) complies with this chapter as follows:

- A. All persons proposing new signs that require a permit or approval pursuant to DMC 14.50.100 – shall file an application with the City that sets forth, at a minimum, the following information: an accurate plan with complete dimensions, location, size, color, shape, materials, type of illumination, size and style of lettering, copy design and the proposed manner of installation. Additional information may be required by the City as reasonably necessary for review and approval by the Planning Director.
- B. The size and location of all existing signage on the premises shall be noted on the application form.
- C. If a master sign plan (MSP) was previously approved by the City, an applicant whose sign conforms to that plan may forgo submittal of a site plan and any other information already contained in the MSP.
- D. If compatibility and design review is required per DMC 14.50.080a, it will be the responsibility of the applicant to show how the proposed sign meets the requirements of this chapter.

14.50.050 - Prohibited signs.

Except as otherwise indicated by this chapter, the following signs or displays are prohibited:

- A. Any sign that does not comply with the provisions of this chapter;
- B. Signs attached to a fence unless otherwise approved by the Planning Director for community events;
- C. Signs which, by reason of their size, location, movement, content, coloring, or manner of illumination may be confused with traffic control signs or signals;
- D. Temporary signs except as specifically allowed in DMC 14.50.150;
- E. Signs located in the public right-of-way, or within travel lanes or sidewalks, or attached to traffic control signs, utility, signal poles or snipe signs, except as otherwise allowed by City Code;

- F. Billboards
- G. Electronic changeable message signs or signs containing moving graphics, text, or video, or that are flashing, moving, rotating, or animated;
- H. Advertising vehicle;
- I. Portable and mobile readerboard signs
- J. Visible ballast boxes, exposed electrical conduits, or other sign equipment;
- K. Pennants, lights or strings of lights moving / flashing / blinking, balloons, air supported structures, searchlights, and other displays designed to attract attention, except as provided for in DMC 14.50.150 grand opening displays;
- L. Wall mounted box/cabinet signs;
- M. Pole mounted freestanding signs, except those described in DMC 14.50.130;
- N. Roof mounted signs unless no other feasible alternative location exists as determined by the Planning Director;
- O. Off-site signage except as allowed under this chapter;
- P. Signs located on canopies made of fabric or other non-rigid material;
- Q. Signs in the public right-of-way which impede pedestrian or vehicular circulation or use;
- R. Signs in the public right-of-way which negatively impacts or has the potential to negatively impact utilities or vegetation such as planter strips or road way medians; and
- S. Signs that obstruct sight distances or sight distance triangle as defined in Chapter 14.06 DMC, Definitions.

14.50.060 - Exempt signs.

The following signs or displays are exempted from the regulations under this chapter:

~~A.~~ Historic site markers or plaques, and address numbers;

~~B.~~ A. Signs required by law, including but not limited to:

1. Official or legal notices issued and posted by any public agency or court; or

2. Traffic directional or warning signs;

2.3. Address number

~~C.~~ B. Plaques, tablets, or inscriptions indicating the name of a building, date of erection, or other commemorative information, which are an integral part of the building structure or are attached flat to the face of the building, which are non-illuminated, and which do not exceed four square feet in surface area;

~~D.~~ C. Incidental signs, which shall not exceed four (4) square feet in surface area; provided, that said size limitation shall not apply to signs providing directions, warnings, or information when established and maintained by a public agency;

~~E.D.~~ Religious symbols;

~~F.E.~~ Signs not visible from the public right-of-way, neighboring properties or tenant spaces.

~~G.F.~~ Sponsors of and vendors at community events provided the signage is located within the event area and the signage is removed at the end of each day;

~~H.G.~~ Signs required by State or Federal agencies.

14.50.070 - Interpretation of tables and design standards and Design Review Board.

- A. DMC 14.50.080 determines whether a specific sign type is allowed in a zone district. The zone district and the public right-of-way are identified in the vertical column and the specific sign type is located on the horizontal row of these tables.
- B. If no symbol appears in the box at the intersection of the column and the row, the sign type is not allowed in that district, except for certain signs allowed pursuant to DMC 14.50.150 – Temporary Signs.
- C. All reviews are administrative and shall be conducted by the Planning Director except as identified in the table below.
- D. The pictures and figures contained in 14.50 DMC are intended to illustrate signs that meet these design goals.
- E. For purposes of 14.50 DMC, the Design Review Board is the City’s Planning Commission. If the table in DMC 14.50.080 requires review and approval from the Design Review Board, the review shall be as follows:
 - 1. Upon submittal, city staff will review the permit and make a recommendation to the Design Review Board;
 - 2. The Design Review Board will review the permit at the next available Planning Commission meeting. The Board will allow for comments from the applicant and the public prior to making a decision.
 - 3. The Design Review Board will approve, approve with modifications or deny the proposed sign.

14.50.080 - Allowed sign types and design review.

Table of allowed sign types and design review for City zones (for City zones and definitions see City's Zoning Map and Chapter 14.10 - ZONES, MAPS AND DESIGNATIONS).

		CITY ZONES		
Sign Types	Right- of- Way	OT, RIV, PF	CO, MU,LI, UT1, MT	Residential
Building Mounted Signs:				
Blade	X	X	X	
Directional Sign		X	X	
Wall Sign (g)		X	X	X(b)
Projecting	X	X	X	
Window		X	X	
Illumination				
Internally Illuminated(c)			X	
Externally Illuminated		X(f)	X	
Freestanding Signs:				
Community Banner	X(d)	X	X	
Directional	X(d)	X	X	
Monument			X(a)	X(b)
Twin Post			X(a)	
Changeable Message Center (Manual)			X(a)(e)	

Table 14.50.080a

Notations to allowed sign types and design review table 14.50.080a

- (a) Design Review Board required, see Compatibility and Design Review 14.50.140
- (b) See residential sign requirements 14.50.130(H)
- (c) Internal illumination is not allowed for projecting and blade signs. Additionally, illumination shall comply with Chapter 14.46 - EXTERIOR LIGHTING STANDARDS. A lighting plan is not required.
- (d) Signage may only be used for community oriented signage such as a community event or celebration or as allowed by this chapter
- (e) Changeable message signs shall only include manual changeable letter and does not include electronic/digital message signs or centers. The changeable message area shall not exceed 60 percent of the sign area. Fuel price signs shall not exceed 80 percent of the sign area.
- (f) Shadow signs are considered externally illuminated
- (g) Design Review Board review is required for wall signs greater than 100 sq. ft. in size, see DMC 14.50.090(A)(4)

14.50.090 - Allowable building mounted sign area.

A. Allowable building mounted sign areas for single and multi-tenant commercial buildings shall be as follows:

1. Single and Multi-tenant buildings shall have their wall sign allowance determined in accordance with the following table:

Façade Area Allowance:

Primary Façade Area	Maximum Site Area
100-199 square feet	13%
200-499 square feet	the greater of 26 sq. ft. or 10%
500-999 square feet	10%
1000-1499 square feet	the greater of 99 sq. ft. or 9%
1500-2999 square feet	the greater of 135 sq. ft. or 8%
3000 +	the greater of 240 sq. ft. or 6%

2. The maximum sign area per building shall not exceed 300 square feet.

3. Wall sign width shall not exceed a width of 2/3 of the lineal width of the building façade or tenant space associated with the sign;
4. Any sign in excess of 100 square feet shall require the review and approval of the Design Review Board. In no case shall a single sign exceed 150 square feet.
5. Signage allowance is nontransferable between buildings or facades.
6. Any façade, in addition to but excluding the primary façade, that faces an improved public right-of-way, such as a corner lot, but excluding alleys, are allowed a secondary signage allowance using 50 percent of the allowable sign area in table 14.50.090 (A).
 - a) The allowable sign area is measured using the applicable façade for which the signage is used
- ~~7. Blade signs shall not count against the allowable sign area.~~

14.50.100 - Review and modifications to standards.

- A. All sign permits shall be reviewed as part of the general permit review process, subject to the permit review requirements of Title 10 DMC, including:
 1. Signs subject to the administrative review, as indicated by the X in Table 14.50.080a, shall be reviewed for compliance with DMC 14.50 but shall not be subject to the provisions of the Design Review Board;
 2. Signs subject to the Design Review Board, as indicated by a footnote in Table 14.50.080a shall be reviewed for compliance with the DMC 14.50, including the provisions of 14.50.140 – Compatibility and Design Review.
- B. Sign design may be reviewed and approved as part of a development agreement review consistent with DMC 14.50, provided:
 1. Specific sign designs approved as part of a unified site development plan will require a building permit, but will not require additional design review at the time of building permit application when in accordance with the approved unified site development plan; or
 2. Additional design standards and guidelines may be adopted through the development review process, subject to specific design review of signs at the time of building permit application. Additional design standards and guidelines adopted through the review process shall govern all subsequent sign design reviews including replacement signs.
- C. Departures from 14.50 DMC are allowed subject to the following:

1. If an applicant chooses a design not specified in 14.50 DMC, the applicant must submit a written request for a departure from code showing the sign meets the intent of the visioning, comprehensive plan, and downtown plan if applicable;
2. The Planning Director will approve or deny the request and forward to the Design Review Board for review, per DMC 14.50.070(D)
3. The Planning Director or Design Review Board shall not approve applicant proposed departures from the number of signs allowed, illumination standards, the types of signs allowed, dimensional requirements or sign modifications that would result in a sign that is inconsistent with the purposes of this chapter.

14.50.110 - Measurement methods.

A. Sign area calculation. Calculating individual signs are as follows:

1. Sign area for freestanding signs shall be calculated by determining the total surface area of the body, viewed from any single vantage point.
2. Sign area for projecting and marquee signs shall be calculated by determining the total surface area of the sign, viewed from any single vantage point.
3. Sign area for letters or symbols painted or mounted directly on walls shall be calculated by measuring the smallest single rectangle which will enclose the combined letters and symbols.
 - a. Appendages to letters and symbols may be excluded from the calculated sign area.
4. Sign height for a freestanding sign, the vertical distance measured from the grade to the highest point of the structure **except as follows**;
 - b.a. **Signs located on a slope shall not exceed the maximum height allowance on the uphill side and not exceed 20 (twenty) on the downhill side (see Figure 14.50.XXX).**

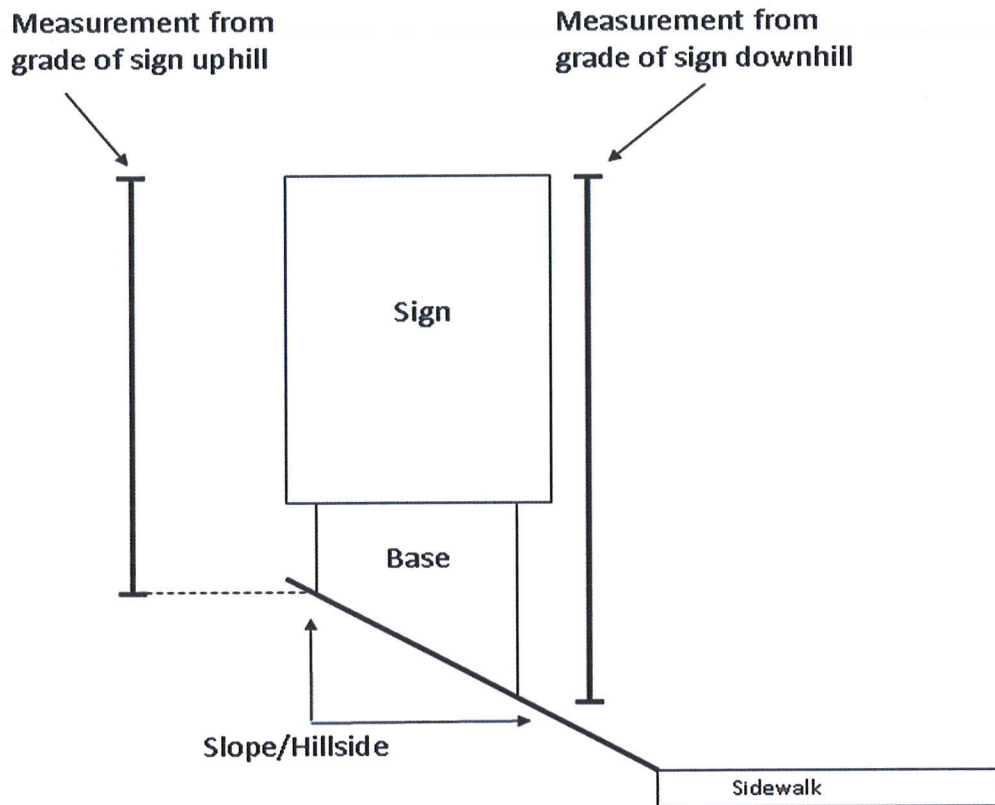


Figure 14.50.XXX. Measuring a freestanding sign on a slope.

- 4.5. Area of building façade is calculated by multiplying the width of the building or tenant space associated with the commercial use, by the height of the building or tenant space.

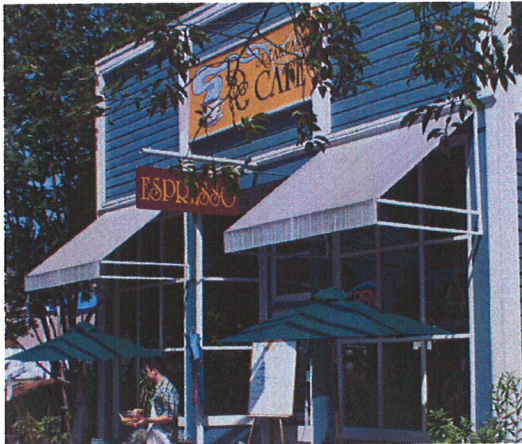
14.50.120 - General sign design standards.

Pictures and figures included in each section below are intended to illustrate part or all of the design requirements and limitations discussed in the subsection containing each picture. Care has been taken to ensure that the pictures are consistent with the standards. However, where the picture includes features that are not consistent with design standards contained within the written standard, the written standard prevails.

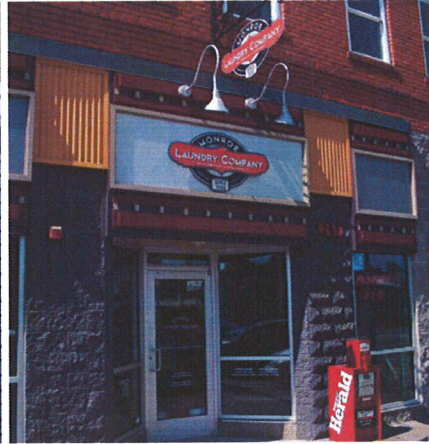
A. General Requirements.

1. Building mounted sign frames and other support structures, such as raceways, shall be concealed or integrated into the building's architectural character in terms of form, color, and materials such that they are not easily visible;
2. Building mounted signs must be in proportion to the size and design of the architectural features of the building façade;

3. Maximum height for building mounted signs shall not extend above the highest exterior wall upon which the sign is located, provided that blade signs shall not exceed the roofline of the building along the façade that the blade sign is attached to;
4. Tenants are allowed one primary sign and one blade sign regulated by this chapter per building elevation/ modulation,;
5. Tenants are allowed one A-board per tenant entry (see applicable standards in DMC 14.50.150).
6. Signs shall not cover windows, building trim, or architectural ornamentation;
7. All signs shall be of a professional quality.



Yes



Yes



No (Sign too high)

Figure 14.50.XXX. Acceptable and unacceptable sign examples.

B. External Illumination. Signs may be illuminated as follows:

1. Illumination shall be limited to the allowed uses in Table 14.50.080a, provided that no sign may be both internally and indirectly illuminated;
2. Indirect sign illumination shall be no further away from the sign than the height of the sign;

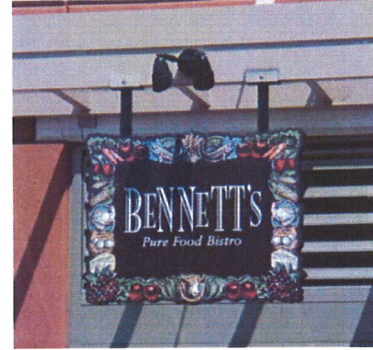
3. Externally illuminated signs shall be arranged so that no direct light is projected into residences or on to any street right-of-way;
4. External sign light fixtures shall be consistent with the design of the sign and building façades or structures associated with the sign;
5. External sign lighting shall be “full cutoff” and shall not result in direct illumination of the sky and adjacent properties and structures, and shall be designed to minimize reflected glare to adjacent properties and structures;
6. Sign illumination within a mixed use development shall automatically turn off within one (1) hour of the close of the business, use, or activity; and, additional illumination standards may be contained in DMC 14.46 -



Yes



Yes



No (Fixtures do not complement design of building)

Figure 14.50.120b. Acceptable and unacceptable sign examples.

C. Location. All signs shall be located as follows:

1. Building mounted signs:

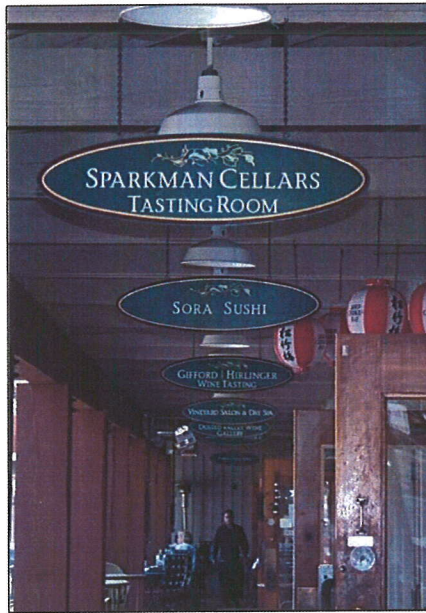
- a) Shall be attached to the building façade of the business or commercial enterprise they are advertising;
- b) Shall be located on the same floor as the business or commercial enterprise they are advertising, provided that businesses that occupy more than one floor shall place the sign on the lowest floor occupied by the business unless otherwise approved by the Planning Director;
- c) Shall not conflict with the ability to view any other sign associated with the building to which the sign is attached;
- d) Shall not conflict with vehicle travel lanes by extending into the street right-of-way and/or by blocking vehicle sightlines; and,

- e) May extend over the sidewalk if they are projecting or blade signs otherwise approved by the City.
2. Freestanding signs:
- a) Shall be located on the lot or development for which it is advertising;
 - b) Located on private property shall be no closer than five (5) feet from the public right-of-way; unless, additional public right-of-way exists which allow placement of the sign while maintaining a five (5) foot setback from the improved right-of-way. The Director of Public Works shall approve the setback departure and may require the applicant to record an easement prior to installation of the sign.

14.50.130 - Design standards for specific sign types.

Pictures and figures included in each section below are intended to illustrate part or all of the design requirements and limitations discussed in the subsection containing each picture. Care has been taken to ensure that the pictures are consistent with the standards. However where the picture includes features that are not consistent with design standards contained within the written standard, the written standard prevails.

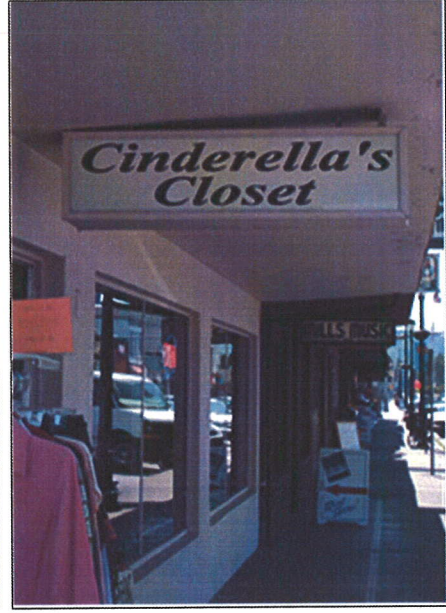
- A. Blade signs. Blade signs are pedestrian oriented signage that may be allowed as noted in DMC 14.50.080, provided that blade signs:
- 1. Shall provide a minimum clearance of eight (8) feet;
 - 2. Shall be limited to six (6) square feet of sign area;
 - 3. Buildings that contain multiple tenants are encourage to use similar shape and mounting technique for each approved sign;
 - 4. Shall be attached to building canopy or overhang and may be attached to the wall if overhead attachment points are not available;
 - 5. Blade signs shall not count against the allowable sign area.
 - 6. The supporting structure or mounts shall consist of decorative hardware
 - a) The Planning Director may waive this requirement if the mounts are screened by the overhead structure or sign.



Yes



Yes

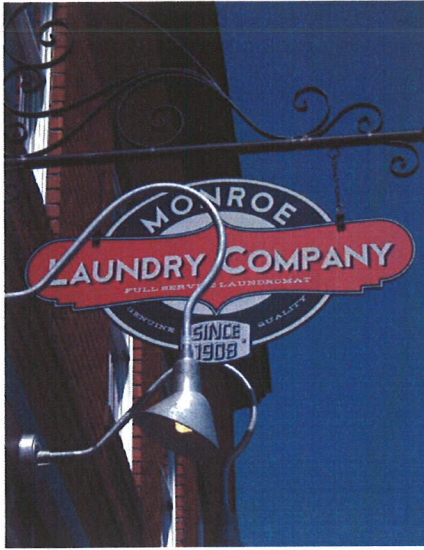


No (Box Sign)

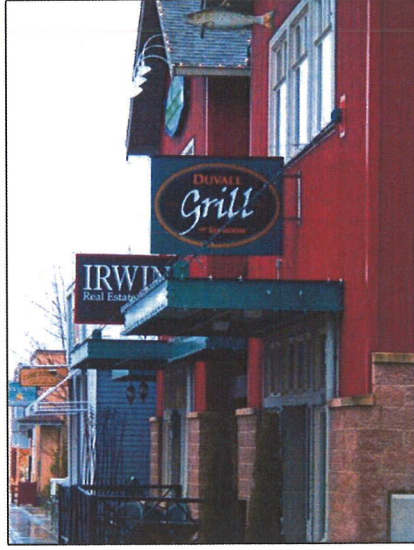
Figure 14.50.XXX. Acceptable and unacceptable blade sign.

B. Projecting signs. Projecting signs are auto oriented signage that serves as the businesses' primary sign.

1. Shall provide a minimum clearance of ten (10) feet;
2. The length of the sign shall not project more than five (5) feet from the building façade and shall not exceed six (6) feet in height;
3. The interior edge of the sign shall not to project more than six (6) inches from the building wall;
4. Maximum sign size is 25 sq. ft.
5. Total sign width shall be no greater than four (4) inches



Yes



Yes



No (Box Sign)

Figure 14.50.XXX. Acceptable and unacceptable projecting signs

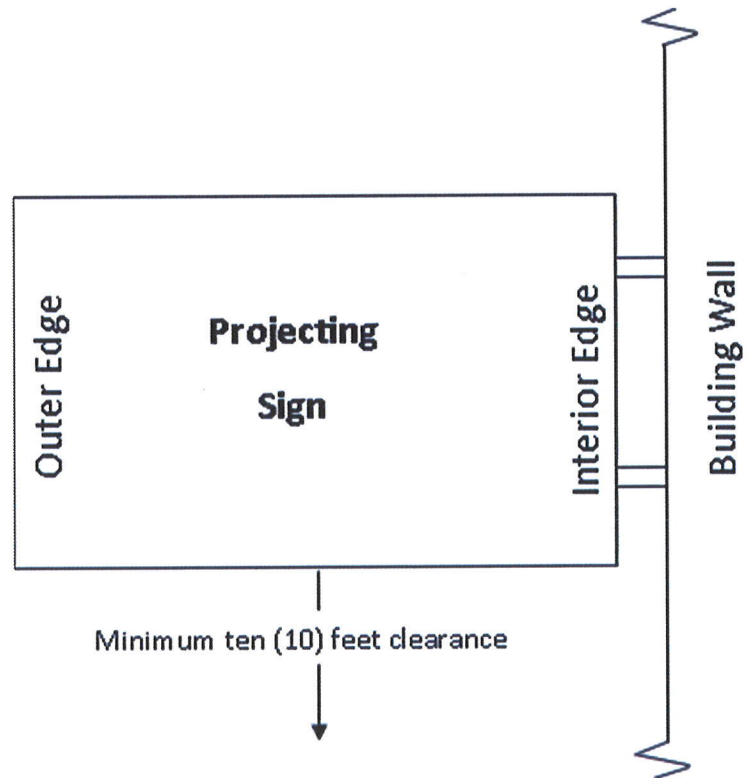


Figure 14.50.XXX. Example projecting sign mounting.

C. Wall Signs. These signs may be allowed as noted in DMC 14.50.080, provided that:

1. Channel letter, opaque, graphics, painted, or shadow signs that are also wall signs shall be attached directly to the building façade, such that there is a maximum protrusion of one foot unless the sign incorporates sculptural elements or architectural devices. The sign frame shall be concealed or integrated into the building's architectural character in terms of form, color, and materials;
2. Channel letter and shadow signs shall only be wall signs;
3. Lettering on opaque signs may be internally illuminated where the light only shines through the letters;
4. Shadow signs may be illuminated by reflected lighting against the building façade located behind the sign letters or graphics;
5. The raceway of channel letter signs shall be painted to match the color of the building façade.
6. Painted signs may be illuminated by external lighting;



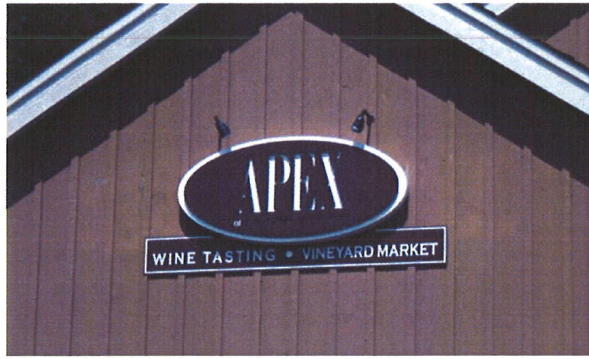
Yes



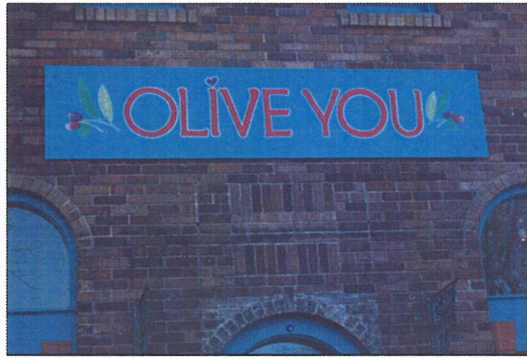
Yes



No (too many signs, banner)



Yes

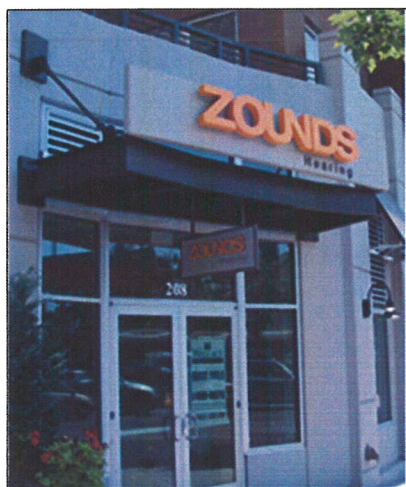


Yes

Figure 14.50.XXX. Acceptable and unacceptable sign examples.

D. Marquee signs. Marquee signs may be allowed as noted in DMC 14.50.080, provided that:

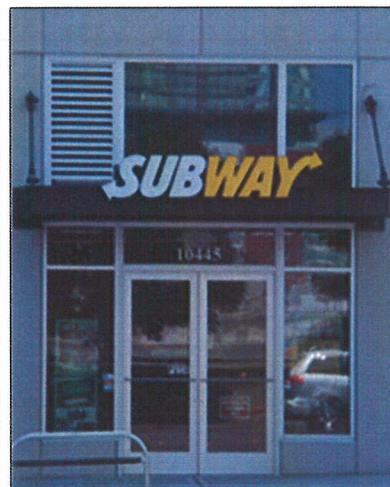
1. The sign shall provide a minimum clearance of ten (10) feet;
2. The face of the sign (lettering and graphics) on a marquee shall be on a parallel plane to the building facade;
3. The marquee supporting the sign shall extend at least three (3) feet from the face of the building, shall be located over a pedestrian walkway or sidewalk, and shall be designed to provide protection from the weather, in addition to supporting the sign;
4. Sign may be comprised of channel lettering, opaque, or shadow signs;
5. Sign lettering and graphics shall not exceed two (2) feet in height;
6. Marquee signs may be placed on the front, above, or below the marquee associated with the sign;
7. Marquee signs may be externally illuminated, internal illumination is not allowed.



Yes
(illuminated)



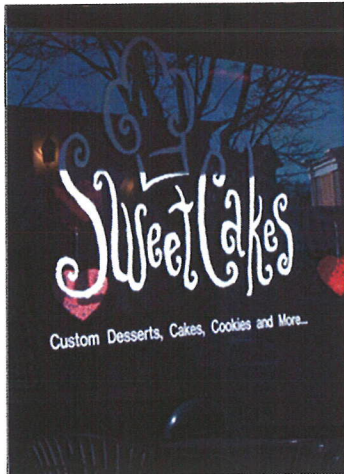
Yes



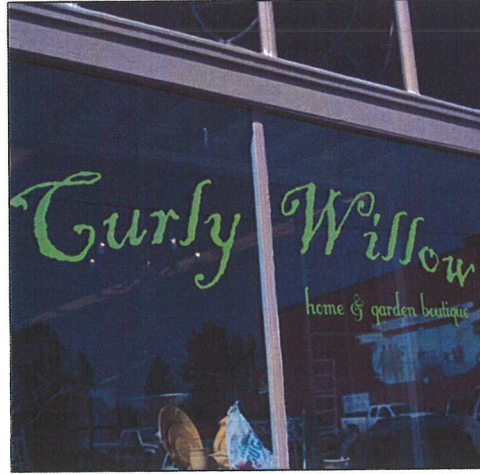
No (internally

Figure 14.50.XXX. Acceptable and unacceptable marquee/awning signs.

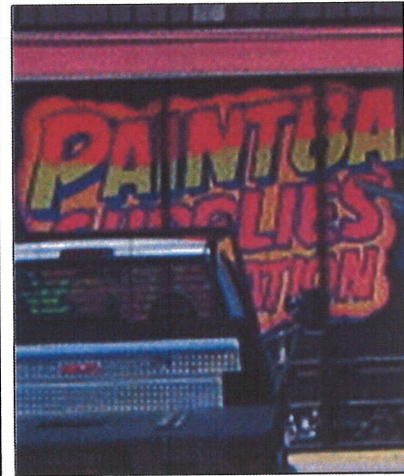
- E. Window signs (Figure X). Window signs may be allowed as noted in DMC 14.50.080 and does not count toward the allowable signage area provided that:
1. Permanent and temporary window signs are limited to a maximum of twenty-five (25) percent of the gross window area of the façade on which the sign(s) is located;
 2. Signs shall be professionally painted or constructed of neon, stained glass, cut vinyl, or etched glass, professionally painted window signs must be removed or replaced after a period of six months;
 3. Incidental signage such as business hours not exceeding two (2) inches in letter height and menus do not count against the allowable sign area.



Yes



Yes



No (More than 25%
of window)

Figure 14.50.XXX. Acceptable and unacceptable window signs.

F. Freestanding Signs (Figure 14.50.XXX). Freestanding signs may be allowed as noted in DMC 14.50.080. One freestanding sign, a maximum of two (2) per parcel, is allowed per three hundred (300) feet of street frontage, or portion thereof. Such signs shall be separated from one another by a minimum of one hundred fifty (150) feet, if located on the same street frontage provided that:

a. Monument Signs.

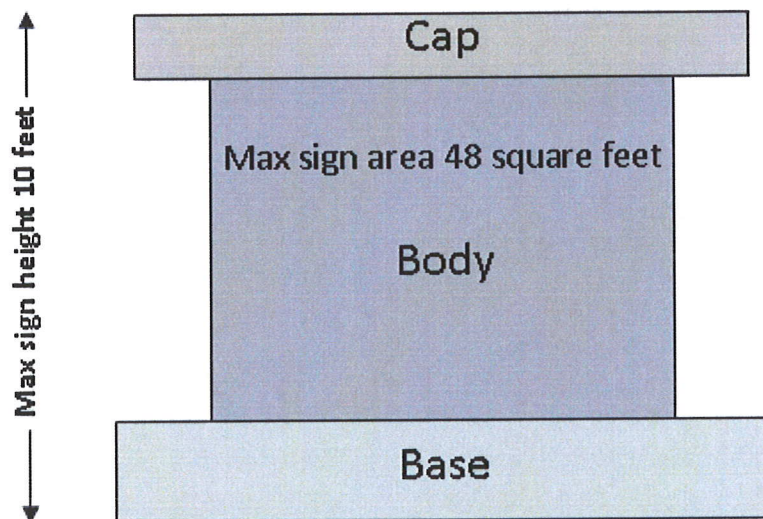
a. The monument signs shall include a cap, body and base and shall comply with the basic design elements in figure XXX:

- i. The cap shall be a distinct architectural element of the sign, differing from the body in shape and/or size;
- ii. The base shall be distinct element of the sign, the base may not be less than one-half the width of the body;
- iii. In no case shall the size of the base or cap exceed the size of the body. The body and cap intended to be subordinate elements of a monument sign.

b. The sign may be up to ten (10) feet in heighttall;

c. Monument signs shall comply with the basic design elements shown in Figure 14.50.XXX;

- d. The total sign area contained within a monument sign shall not exceed forty-eight (48) square feet;
- e. All text shall be displayed in the body of the sign, except the name of the development may displayed on the cap or base;
- f. The minimum letter height shall be four (4) inches;
- g. Monument sign shall be set back five (5) feet from the public right-of-way except as allowed in DMC 14.50.120(C)(2);
- h. Type III landscaping per DMC 14.38.080 is required within five feet of the sign; however, existing landscaping may count toward this requirement;
- h.i. The base of the sign shall not exceed twenty-five (25) percent of the body;
- h.j. Monument signs may be internally or externally illuminated.



Standard monument sign allowance (Figure 14.50.XXX)



Yes



Yes

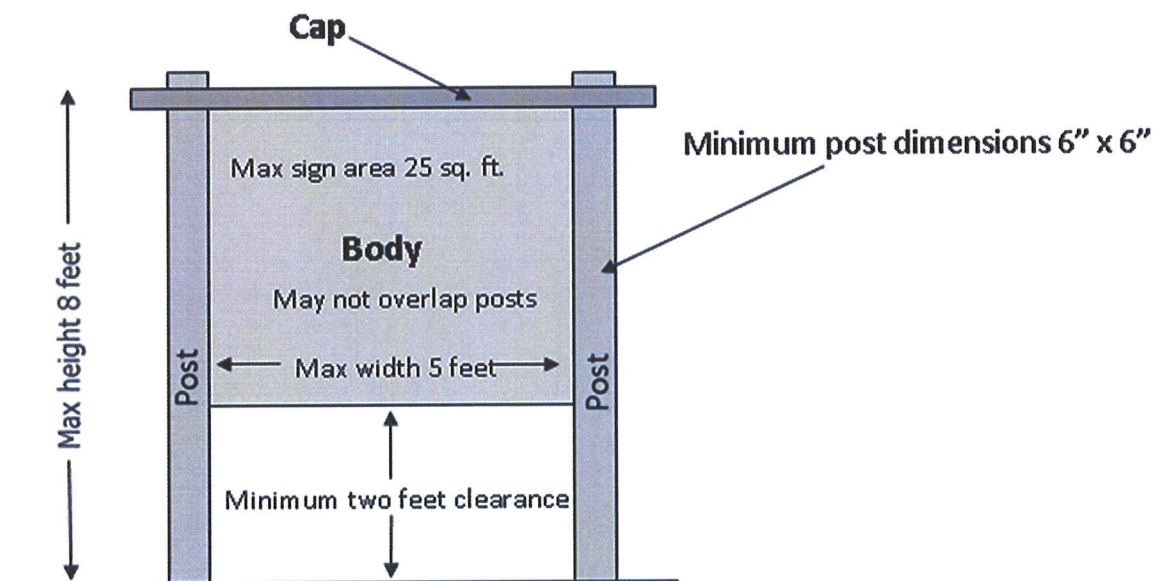


No, separation between faces counts as two signs, no cap

Example monument sign (Figure 14.50.XXX)

- b. Twin Post Sign. The intent of these signs is to allow business owners a more affordable-alternative option to the traditional monument sign. This type of sign shall comply with the following:
 - a. Twin post signs shall provide a cap, body and two supporting posts:
 - i. The cap shall be a distinct architectural element of the sign, differing from the body in shape and/or size;
 - ii. The body shall not exceed twenty-five (25) square feet
 - iii. The posts are required to have a minimum six (6) inch by six (6) inch post, rock or other decorative material, as approved by the Planning Director, may substitute for wood posts;
 - b. Maximum number allowed is one (1) per parcel;
 - c. The maximum height for twin post signs shall be eight (8) feet;
 - d. The minimum letter height is four (4) inches;
 - e. Post signs shall be placed no closer than five (5) feet from the edge of the public right-of-way except as allowed in DMC 14.50.120(C)(2);
 - f. Sign shall include the elements in Figure 14.50.XXX or Figure 14.50.XXX;
 - g. All text shall be displayed in the body of the sign;
 - h. Type III landscaping per DMC 14.38.080 is required within five feet of the sign; however, existing landscaping may count toward this requirement;

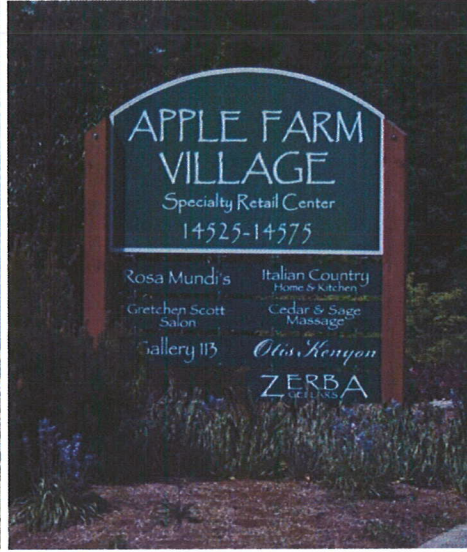
- i. Individual tenant plaques for the optional post sign, as shown in Figure 14.50.XXX, shall be supported and/or anchored on all four sides and uniform in design;
- j. Signs may be externally illuminated only.



Standard post sign allowance (Figure 14.50.XXX)



Yes



Yes



No, overlaps posts and signs lack cohesiveness

Figure 14.50.XXX. Acceptable and unacceptable Twin Post signs

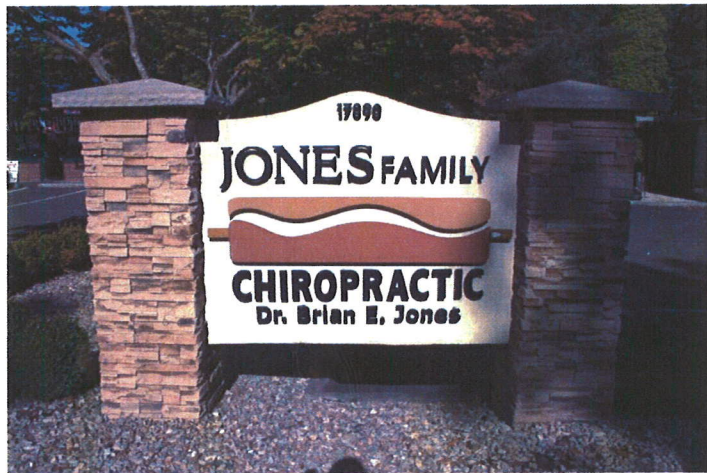
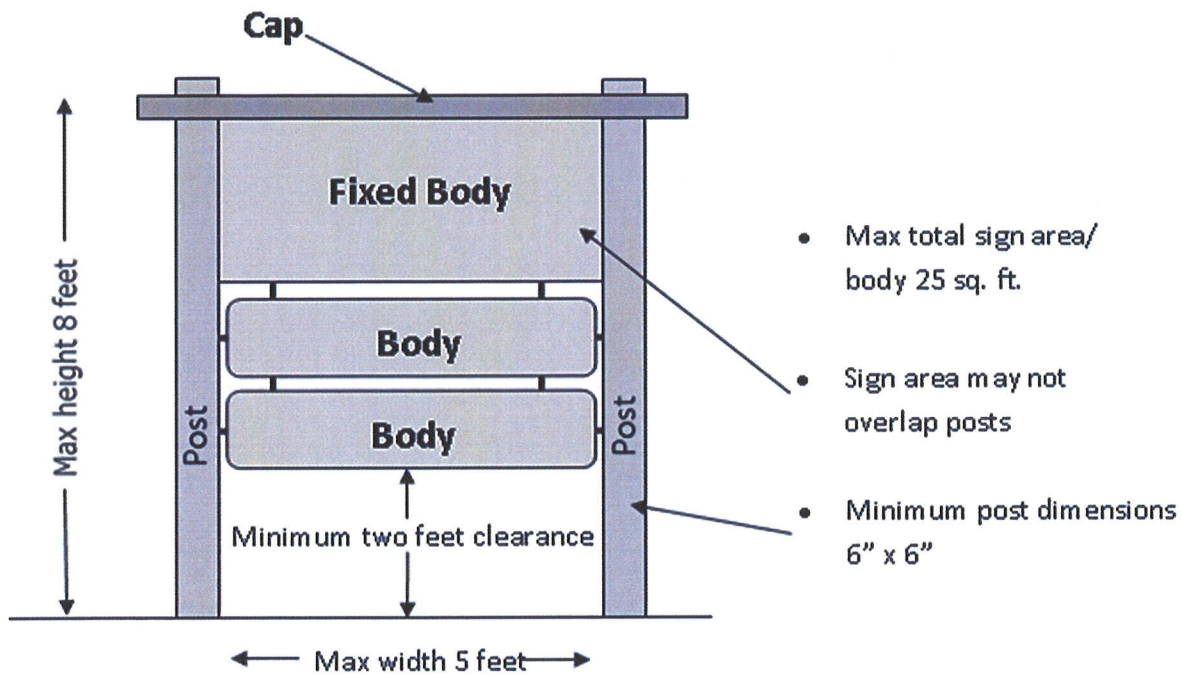


Figure 14.50.XXX. Acceptable alternative to wood posts



Optional post sign allowance (Figure 14.50.XXX)

G. Directional Signs. Directional signs are noncommercial in nature and may be allowed as noted in DMC 14.50.XXX, provided that:

- Directional signs shall not count toward the total signage allotment;
- Signs shall be located within 10 feet of the intersection of two or more pedestrian sidewalks or paths;
- Signs shall not exceed a height of four feet;
- Sign area shall not exceed six (6) square feet;
- Signs are noncommercial in nature;
- One directional sign shall be allowed per entrance to the site.

H. Residential Signs. These signs may be allowed as noted in DMC 14.50.XXX, provided that:

1. Home Occupation:

- No signs of any type regarding the home occupation shall be exhibited or displayed on the site per 14.54 DMC.

2. Nonconforming Use or Conditional Use in a residential zone:
 1. Allowable sign area shall be calculated using DMC 14.50.090;
 2. Allowable sign type and review shall comply with the OT and RIV zones in DMC 14.50.080.
3. Formal subdivisions and multifamily properties:
 - a. Site shall contain four or more dwelling units;
 - b. Sign may only identify the name of the development;
 - c. No more than two signs per development;
 - d. The sign may be monument or mounted on a wall or other structure;
 - e. Sign may not exceed six feet in height or 32 square feet in size.

14.50.140 – Compatibility and Design Review Requirements. The following criteria will be used for sign permit review at an administrative level and by the Design Review Board. The goal of this section is:

- A. To encourage signs that reflect the goals and policies of the City-Wide Visioning, Duvall Municipal Code 14.34.060(B)(10) and Comprehensive Plan, create an intimate pedestrian environment associated with the Downtown Sub-Area Plan when applicable; and,
- B. Architectural compatibility: The signs shall be compatible in size, proportion, shape, character, and quality of design with the exterior architecture of the premises and other structures in the immediate area;
- C. Simplicity: To the extent feasible, the sign should be graphic and with limited use of words, with the design emphasis on simplicity of style. A simple design or abstract graphic design is preferred;
- D. Target Audience: Only one sign per building elevation should be designed for vehicle and pedestrian use. Signs that are targeted primarily to serve pedestrians are generally preferred over signs targeted for both pedestrian and vehicle audiences;
- E. Identification: A commercial sign should be designed for the primary purpose of identifying a business or office;
- F. Shape, size, and orientation: The shape of a sign should not conflict with the architectural lines of its setting. Signs should be directed toward the passing motorist or

pedestrian. No sign should be designed to be readable or to attract motorists from a great distance;

- G. Illumination and colors: A sign must not overpower its surroundings through hue, saturation, or brilliance or close combination of incompatible colors. Sources of illumination shall be screened from public view and shall be designed to avoid glare onto a street or adjacent property;
- H. Landscaping: Signs shall be placed with consideration for existing and future growth of trees and other landscaping. A monument sign reviewed under this section must be placed in a landscaped area or planter, with landscaping maintained;
- I. Compatibility with adjacent uses: The design, illumination, and location of a sign shall not impair the visibility or the design quality of existing, conforming signs, adjacent buildings, or adjacent uses;
- J. To ensure that signs are part of, and consistent with, the overall design approach of a project.

14.50.150 – Temporary Signs. The following temporary signs or displays are permitted in all zones indicated in this section. Unless otherwise allowed in 14.50 DMC, signs located in street right-of-way shall be located outside of the improved portion of the right-of-way (behind the sidewalk, roadway shoulder, drainage ditch etc, whichever is furthest from the traveled roadway), and may be removed by the city if determined to be a hazard or if the placement is otherwise in conflict with the public use of the right-of-way.:

A. Commercial A-Boards

- 1. A-boards may not exceed two (2) feet in width and three (3) feet in height;
- 2. An A-Board can be placed no higher than one (1) foot above the grade of the sidewalk or pathway;
- 3. All lettering on the sign is accomplished using commercial stencils and any artwork is of a professional quality;
- 4. Only one A-board sign is permitted per tenant entry (public);

A-frame signs must be located within the property lines of the sponsoring property or contiguous portions of the public sidewalk unless allowed under or (E) of this section.

5. Prior to placing a sign in the public right-of-way: A sign permit shall be obtained from the city building and planning departments; A street use permit shall be obtained from the city public works department unless otherwise waived; the city shall be indemnified against all damages; and a liability insurance policy shall be obtained with the city named as co-insured with a minimum coverage of one million dollars (\$1,000,000.00);
6. In no case shall A-boards impede pedestrian circulation by restricting the sidewalk width to less than four (4) feet and A-boards shall be setback from an intersection outside of the sight distance triangle (DMC 14.64.160); and shall be placed on the portion of the sidewalk closest to the sponsoring business.
7. A-boards shall only be displayed during business hours open to the public.

B. Commercial Grand Openings and Events Displays.

1. Banners shall not to exceed the lesser of twenty percent of the area of the wall face to which it is attached, or one hundred fifty square feet in area, as measuring the extreme edges of the banner;

2. Displays shall be located completely on the subject property or sponsoring business. These displays shall not be located in landscaping areas or the public right-of-way. They shall be affixed so as not to fall in high winds or storm events;

3. Displays shall remain legible, and be well maintained;

4. ~~4.~~—A business is allowed temporary displays four (4) times per calendar year for a fourteen (14) day period, except grand openings which may be displayed for a period of forty-five (45) days.

~~3.5.~~ Upon removal, a banner may not be re-erected for duration of month from the time it was displayed;

5. One banner is allowed per wall or frontage, not to exceed two per business;

6. A permit shall be issued with the applicant notifying the city of the proposed date(s) and location of the displays;

7. Residential uses are not allowed banner signs, including those operating with a home occupation business license.

C. Construction signs:

1. Construction signs identifying architects, engineers, planners, contractors, or other individuals or firms involved with the construction of a building and announcing the character of the building or the purpose for which the building is intended may be displayed;
2. One non-illuminated, double-faced sign is permitted for each public street upon which the project fronts;
3. Shall be located within the subject property, five (5) feet back from the property line;
4. No sign shall exceed 32 square feet in surface area or 10 feet in height, or be located closer than 30 feet from the property line of the adjoining property; and
5. Construction signs must be removed by the date of first occupancy of the premises or one year after placement of the sign, whichever occurs first.

D. Political Signs. Political signs do not require sign permits and are allowed, subject to the following requirements:

1. Location.
 - a. Political signs may be displayed on private property with the consent of the property owner;
 - b. Political signs placed in the city right-of-way shall not create any dangerous or hazardous conditions for vehicles or pedestrians and/or negatively impact or has the potential to negatively impact utilities or vegetation.
2. Specifications.
 - a. Political signs located on private property may have a maximum sign area of up to 32 square feet;
 - b. Freestanding political signs on private property may be up to eight feet tall; and,
 - c. Political signs located on or within improved right-of-way may have a maximum sign area of up to four square feet and may be up to three feet above grade.
3. Removal.

- a. Political signs shall be removed within fourteen (14) days following the election;
 - b. Property owners shall be responsible for the removal of political signs located on private property; and,
 - c. The campaign officer or other responsible official shall be responsible for the removal of political signs located on or within public right-of-way.
- E. Real estate signs. Signs advertising an individual residential unit for sale or rent are allowed, subject to the following:
- 1. Location
 - a. One on-site sign per street frontage or road intersection;
 - b. One portable off-site sign per turning movement or road intersection is allowed on private property or in improved right-of-way, subject to the following:
 - i. Off-site sign may be located on private property with the consent of the property owner provided the location complies with the provisions of this chapter and does not create a dangerous or hazardous condition.
 - ii. Off-site signs may be displayed within the improved right-of-way provided the location complies with the provisions of this chapter and does not create a dangerous or hazardous condition.
 - 2. Specifications.
 - a. Signs advertising an individual residential unit for sale or rent shall not exceed six square feet in area, and shall not exceed six feet in height;
 - b. A-Board signs shall not exceed six square feet in area for each sign, and shall not exceed ~~forty-two (42) inches~~ three (3) feet in height. They shall be completely self-supporting, able to withstand a lateral pull of at least fifty (50) pounds applied perpendicular to the plane of the sign at the highest point of the sign, and its center of gravity shall not be more than one-third the height of the sign above the sidewalk. All lettering on the sign is accomplished using commercial stencils and any artwork shall be of a professional quality; and,
 - c. On-site commercial, industrial, residential neighborhood or multifamily complex for sale or rent signs shall not exceed thirty-two (32) square feet in area, and eight (8) feet in height.

1. Removal

- a. On-site signs shall be removed within five (5) days after closing of the sale or rental of the property;
- b. Portable off-site signs shall be permitted during daylight hours and/or when the agent or seller is in attendance at the property for sale. These signs shall be permanently removed five (5) days after closing of the sale or rental of the property.

F. Community Event Signs. Community event signs are portable A-boards allowed, subject to the following requirements:

1. Location.

- a. Community event signs may be displayed on private property with the consent of the property owner;
- b. Community event signs may be displayed within the public right-of-way provided the location complies with the provisions of this chapter and do not create a dangerous or hazardous condition; and,
- c. All applicants shall submit an Event Signage Plan depicting the location of each sign.

2. Specifications.

- a. A-Board signs shall not exceed six square feet in area for each sign, and shall not exceed ~~forty-two (42) inches~~ three (3) feet in height. They shall be completely self-supporting, able to withstand a lateral pull of at least fifty (50) pounds applied perpendicular to the plane of the sign at the highest point of the sign, and its center of gravity shall not be more than one-third the height of the sign above the sidewalk. All lettering on the sign is accomplished using commercial stencils and any artwork shall be of a professional quality.

3. Installation and Removal

- a. Signs may be installed one (1) week prior to the event or as approved by the Planning Director
- b. A maximum of six (6) A-Boards are allowed per event;
- c. Signs shall be removed one (1) days following the event; and,

d. The permit shall include the location and type of sign used during the event.

G. Community banner signs. Community banners are allowed subject to the following provisions:

- a. Community banners shall only be located in assigned areas designated by the City's Community Banner Policy;
- b. Banners shall not be illuminated; and,
- c. Sponsor logos shall be limited to the name and corporate symbol of the sponsor and shall not exceed 25 percent to the banner.

H. Murals

- a. Murals may be painted or otherwise placed on any building or structure where permitted. However, a rendition of the mural shall be reviewed and approved by the Planning Director and the Cultural Commission prior to placement; and,
- b. Murals containing a commercial sign message shall require a sign permit and shall only be allowed in the commercial zoning districts. The commercial "display area" of the mural shall be calculated in accordance with the allowed signage for the site and/or tenant.

I. Miscellaneous Signs. The following are exempt from permits:

- a. Garage sales, family reunions, special parties, and similar special and limited event signs not exceeding six (6) square feet.
- b. These sign may be displayed no earlier than seven (7) days prior to the event and shall be removed within ~~five (5)~~twenty-four (24) hours-days after the event-;
- b.c. Signs located in the public right-of-way must be removed at the end of the event.

14.50.160 - Master Sign Plan. This section shall govern master sign site plans in all commercial developments. This section establishes a binding master sign site plans for multitenant buildings in order to establish consistent sign design, location and materials. The plan shall fulfill the following requirements:

1. A master site plan drawn to scale delineating the site and areas of future phased development proposed to be included within the master sign plan and the general location of all proposed signs;
2. Drawings or sketches indicating the exterior surface details of all buildings on the site on which signs are proposed;

3. Drawings or sketches of all proposed freestanding signs including directional and directory signs;
4. A schedule showing the total allowed signage on the site in accordance with the underlying zoning and applicable section of the sign code;
5. A narrative explaining how the proposal constitutes a consistent design theme by way of color, materials, types and locations of signs;
6. Approval and Modification. The Planning Director shall approve a master sign site plan and subsequent modifications. Any proposed deviation from the approved master sign site plan such as additional signage, relocating signs, replacement signs and other modifications not including tenant name changes shall require the approval of the Planning Director.

14.50.170 – Removal of Signs. Signs in violation of the following are subject to DMC 2.24 and/or fines outlined in the Fee Resolution, as amended:

1. The sign is a threat to persons or property;
2. The tenant of a retail space vacates the space and the building owner does not remove the tenant's sign within ten (10) days after the premises are vacated;
3. Signs in violation of this chapter; or,
4. Sign is illegally nonconforming;

14.50.180 – Definitions. The following definitions are in addition to those definitions found in Chapter 14.06 - DEFINITIONS. The pictures contained in the sign definition section are intended to provide examples of the sign described.

“Advertising vehicle” means any vehicle in a stationary position for more than seventy-two (72) hours with over sixty (60) percent coverage of the vehicles panels, on a public right-of-way or public property or on private property so as to be visible from a public right-of-way. The vehicle must be used primarily for the purpose of advertising, as opposed to serving some other function such as delivery of goods or services or transport.

“Changeable Message Center (Manual)” means a sign or part of a sign on which the letters are replaceable by manual means such as changing magnetic letters on a signboard.

“Commercial Grand Openings and Events Displays” means temporary signage including Banners, pennants, feather pennants, strings of lights or strings of lights, moving / flashing / blinking lights, balloons, air supported structures.

~~“Community Event” means any planned gathering, open to the public that is either sponsored or supported by the City.~~

“Display area” means the greatest area of display meant to contain the text, graphics, pictures, lights and other background details to be viewed as signage. On freestanding signs this area is known as the body of the sign. Display area shall be measured as the smallest rectangle placed around all that composes the display area. On no sign shall the display area be less than fifty percent of the surface area of the sign.

a. “Display area” includes only one face of a double-faced sign where the faces of the sign are parallel. If any face is offset from parallel or separated by more than two feet, such face shall be counted as a separate surface area.

b. Appendages to logos and letters may be excluded from the display area calculation, see Figure 14.50.XXX



Figure 14.50.XXX(b) Dashed line represents display area and excludes appendages of the “y” and “p.”

“Façade” means the exterior wall face of a building, extending from the ground to the top of the parapet or eaves, but not including any portion of the roof. Each side of a building (i.e., each architectural elevation) is considered one facade. For buildings with more than one occupant/tenant, the facade for each occupant shall be that portion of the exterior wall face between the points where the interior wall between tenants intersects with the exterior wall, thus delineating the individual occupant/tenant space.

“Façade, primary” means the single principal façade facing public right-of-way on which the sign area is calculated

“Façade, secondary” means a façade in addition to the primary façade, fronting public right-of-way which may be used to calculate signage at half the allowable area of the primary façade.

“Maintenance” means the work of keeping something in a suitable condition such as repair would accomplish.

“Multitenant building” means a single structure housing more than one type of retail business, office, commercial, or manufacturing venture.

“Mural” means a large painting or decoration, either painted directly on the wall, or prepared separately and attached to the wall.

“Religious Symbol” means a Cross, Star and Crescent, Star of David, and other archetypes used by recognized 501(c)(3) religions.

“Sign” means any medium, device, structure, fixture, or placard, including any necessary supporting structure and component parts, that is visible from a public right-of-way or surrounding properties, and

uses graphics, symbols, or written copy to convey a message, attract attention to, or advertise a product, place, activity, business, event, good, service, or land use.

“Sign, A-board” means a portable sign in the shape of an “A,” or some variation thereof, consisting of two (2) message panels attached by a hinge or similar device along their top edge, which is placed on the ground with the base of each panel separated by a sufficient distance to allow the sign to stand upright without other support.



Figure 14.50.XXX. A-board examples.

“Sign banner” means Banner: A sign made of fabric or other non-rigid material with no enclosing framework.



“Sign, blade” means a small, pedestrian-oriented building mounted sign that is attached to and supported by the exterior wall of a building with the exposed face of the sign on a plane perpendicular to the wall of the building, projecting more than one foot from the wall of a building and vertical to the ground.

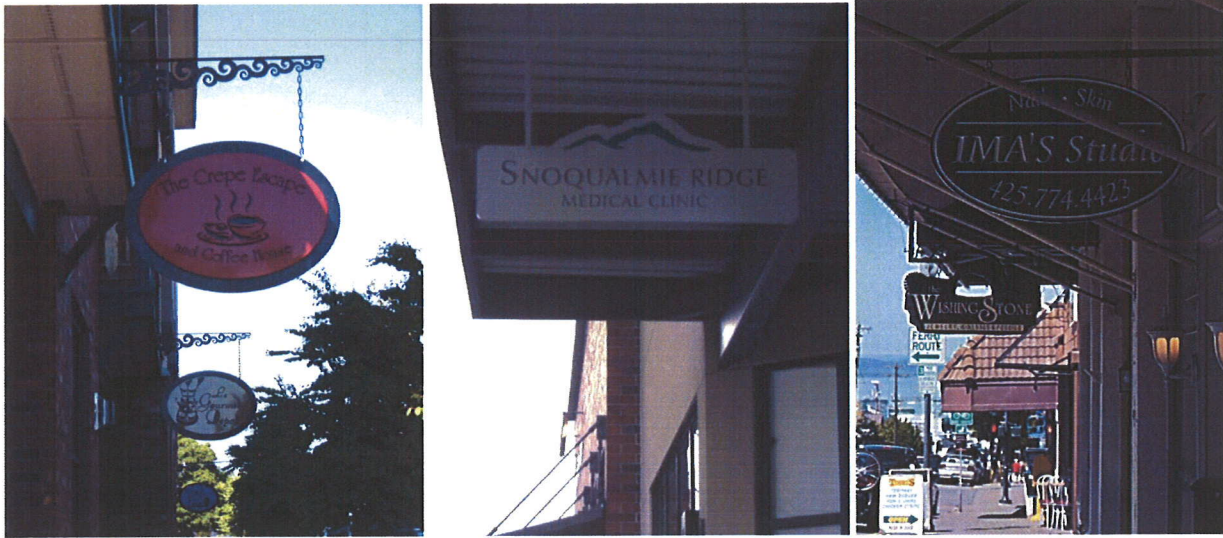


Figure 14.50.XXX. Blade sign examples.

“Sign, box / cabinet” “Sign, cabinet” generally means an internally illuminated sign in which a removable sign face (typically with translucent graphics) is enclosed on all edges by a metal cabinet. A cabinet sign may be multi-sided.



Figure 14.50.XXX. Cabinet sign examples.

“Sign, building-mounted” means a single- or multiple-faced sign of a permanent nature, made of rigid material, attached to or painted upon the wall/facade of a building or the face of a marquee in such a manner that the wall/facade becomes the supporting structure or forms the background surface of the sign and does not project more than eighteen inches from such wall/facade.

“Sign, manual changing message” means a sign that contains text that can be manually changed.



Figure 14.50.XXX. Changing message sign examples.

“Sign, channel letter” means a wall sign that is comprised of lettering that is attached to and supported by the exterior wall of a building or a structure with the exposed face of the lettering or graphics on a plane parallel to the wall of the building, and where the letters contain an open channel into which neon lighting is inserted.



Figure 14.50.XXX. Channel letter sign examples.

"Sign, community banner" means a temporary sign, located on City banner poles, which advertises an event that would provide civic, cultural, educational, philanthropic, or service opportunities hosted or promoted by the City in conjunction with a community group that is not-for-profit or nonprofit and nonpolitical with an IRS designation of Section 501(c) or (d).

"Sign, community event" means an A-Board sign announcing or promoting a nonprofit or not-for-profit sponsored community fair, festival, event (community events include but are not limited to regularly scheduled events or meetings by churches, homeowners' associations and other community groups).

“Sign, directional” means a sign that is primarily designed to guide or direct pedestrian or vehicular traffic to an area, business, place, or convenience.



Figure 14.50.XXX. Directional sign examples.

“Sign, electronic” means a sign containing a display that can be changed by electrical, electronic or computerized process, including video signs.

"Sign, incidental" means a sign, emblem or decal designed to inform the public of goods, facilities, or services available on the premises, and may include but not be limited to signs designating:

- (a) Restrooms;
- (b) Hours of operation;
- (c) Acceptable credit cards;
- (d) Property ownership or management;
- (e) Phone booths; and
- (f) Recycling containers.
- (g) Warning Signs

"Sign, freestanding" means a sign with two sides that are not separated by more than two feet, standing directly upon the ground and being detached from any building or fence. See DMC 14.50.130 for allowed freestanding signs.

"Sign, fuel price" means a sign utilized to advertise the price of gasoline and/or diesel fuel.

"Sign, logo" means a sign, graphic representation, or symbol of a company name, trademark, abbreviation, uniquely designed for ready recognition. A logo sign may be a wall sign or a freestanding sign.

"Sign, marquee" means a sign painted on or attached directly to and supported by a marquee. A marquee is a rigid roof like shelter projecting above an outer door and over a sidewalk or a terrace, which may be attached to a building or be freestanding.

"Sign, monument" means a freestanding sign that is above ground level and is anchored to the ground by a solid base, with no open space between the sign and the ground.

"Sign, off-premises" means a sign which displays a message relating to a use of property or sale of goods or services at a location other than that on which the sign is located.

"Sign, opaque" means a building mounted sign that is attached to and supported by the exterior wall of a building or a structure where the surface of the sign is generally comprised of two or more opaque materials on the same plane. Where internally illuminated, the opaque material that comprises the lettering of the sign may be a translucent such that it allows limited light to shine through the sign letters.



Figure 14.50.XXX. Opaque sign examples.

"Sign, painted" means a sign, mural or graphic design painted directly onto a building façade or onto a flat wood or metal surface that is then attached to the building façade.

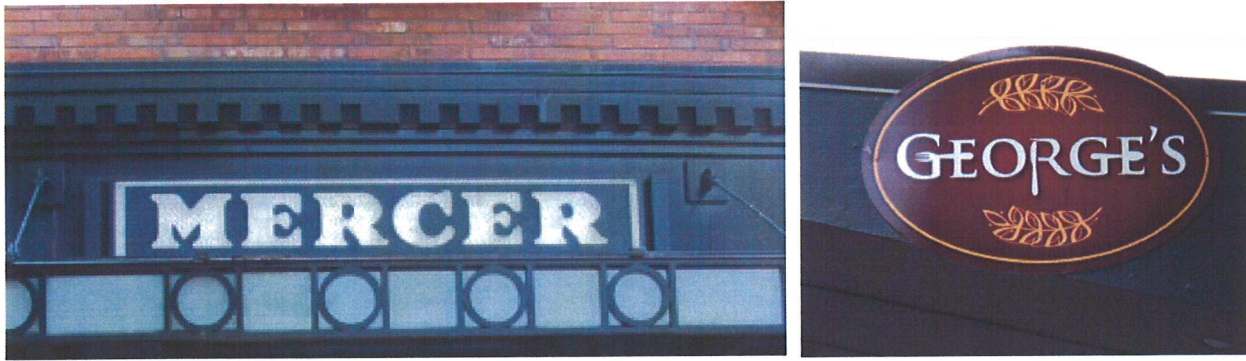


Figure 14.50.XXX. Painted sign examples.

"Sign, permanent residential development identification" means a permanent monument or wall sign identifying the residential development upon which the sign is located.

"Sign, political" means a sign advertising a candidate or candidates for public elective office, or a political party, or signs urging a particular vote on a public issue decided by ballot.

"Sign, primary" means a painted, opaque, awning, marquee, or channel letter sign that is designed to be the primary source of business identification to both pedestrian and vehicular traffic.

"Sign, projecting" means a sign other than a wall sign, which projects from and is supported by a wall of a building or structure.

"Sign, raceway" means a separate, rectangular structure upon which individual letters can be mounted. "Sign, roof" means signs erected or constructed wholly upon and over the roof of any building and supported solely on the roof structure. Signs standing out horizontally from a mansard roof are considered wall signs; however, they may not extend vertically above the top of the mansard.

"Sign, secondary" means a window, logo or blade, sign that generally contains secondary, pedestrian oriented business identification.

"Sign, shadow" means a wall sign comprised of individual letters or graphics that is attached to and supported by the exterior wall of a building with the exposed face of the sign lettering or graphics on a plane parallel to the wall of the building, where the surface of the sign is generally comprised of a completely opaque material. The sign lettering or graphics are separated from the building façade such that during daylight hours the lettering generates a shadow on the building façade.



“Sign, Halo Lit” means a shadow sign with back lighting that creates a halo affect around the letters. Exposed bulbs are prohibited in this application.

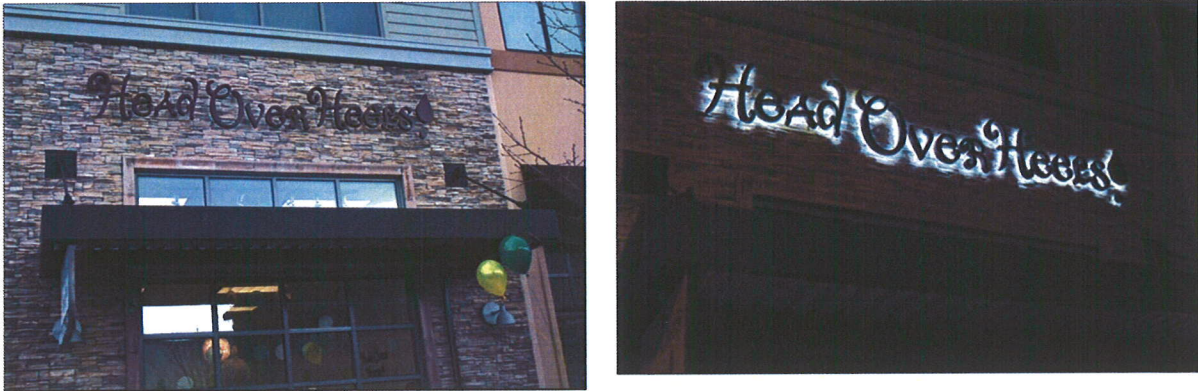


Figure 14.50.XXX. Shadow sign examples.

“Sign, temporary” means a sign that is designed to be displayed for a limited amount of time and is not permanently placed or affixed such as to prevent its removal;

"Sign, wall" means any sign painted on, or attached directly to and supported by, the wall of a building or structure. All wall signs are building mounted signs. Wall signs may include, but are not limited to window, opaque, shadow, painted, channel letter, and logo signs.

“Sign, snipe” means an off-premises sign which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, fences, utility poles or to other objects, not applicable to the present use of the premises or structure upon which the sign is located.

“Sign, Window” means all signs located inside and affixed to or within three feet of windows of a building, whether temporary or permanent, lighted or unlighted, which may be viewed from the exterior of the building. The term does not include merchandise located within three feet of a window.

Chapter 14.50 - SIGNAGE

14.50.010 - Purpose.
14.50.020 - Applicability.
14.50.030 - Permit required.
14.50.040 - Application information.
14.50.050 - Prohibited signs.
14.50.060 - Exempt signs.
14.50.070 - Interpretation of tables and design standards.
14.50.080 - Allowed sign types and design review.
14.50.090 - Allowable sign area.
14.50.100 - Review and modifications to standards.
14.50.110 - Measurement methods.
14.50.120 - General sign design standards.
14.50.130 - Design standards for specific sign types.
14.50.140 - Compatibility and Design Review Requirements.
14.50.150 - Temporary Signs.
14.50.060 - Master Sign Plan.
14.50.070 - Removal of Signs.
14.50.080 - Definitions.

14.50.010 - Purpose.

The purpose of the Duvall sign code chapter is to:

- A. Promote signs within the City of Duvall that contribute to the character of the City, are integrated with built and natural surroundings;
- B. Provide necessary signage to support central gathering places, increase social interaction, and encourages walk ability;
- C. Support a full range of signs necessary to support commercial services in the City;
- D. Regulate signs in a manner that is timely, flexible, predictable, fair to all and that result in superior development; and,

14.50.020 - Applicability.

Except as provided for in DMC 14.50.XXX – Exempt Signs, all signs shall be subject to the design provisions of this chapter; provided, that specific sign standards and design requirements may be further established through a Unified Development Regulations or building permit review and shall be determined during the applicable review process.

14.50.030 - Permit required.

- A. Except as otherwise permitted by this chapter, no sign shall be erected, altered, or relocated without approval by the Planning Director.
- B. No permit shall be required for repainting in like colors, cleaning, or other normal maintenance and repair of a sign, including replacement of portions of the sign that do not alter the size or structure of the sign or compliance with the design standards.

14.50.040 - Application information.

The applicant shall have the burden of demonstrating that a proposed sign(s) complies with this chapter as follows:

- A. All new signs requiring a permit or approval pursuant to DMC 14.50.XXX – shall provide, in a form established by the City, at a minimum an accurate plan with complete dimensions, location, size, color, shape, materials, type of illumination, size and style of lettering, copy design and the proposed manner of installation. Additional information may be required as reasonably necessary for approval by the Director.
- B. The size and location of every existing sign on the premises shall be noted on the application form.
- C. If a master sign plan (MSP) was previously approved by the City, an applicant whose sign conforms to that plan may forgo submittal of a site plan and any other information already contained in the MSP.
- D. If compatibility and design review is required per DMC 14.50.XXX, it will be the burden of the applicant to show how the proposed sign meets the requirements of this chapter.

14.50.050 - Prohibited signs.

Except as indicated by this chapter, the following signs or displays are prohibited:

- A. Any sign that is otherwise allowed, but does not comply with the provisions of this chapter;
- B. Signs attached to a fence unless otherwise approved by the Planning Director;
- C. Signs which, by reason of their size, location, movement, content, coloring, or manner of illumination may be confused with traffic control signs or signals;
- D. Temporary signs except as specifically allowed in DMC 14.50.XXX;
- E. Except as specifically allowed, signs located in the public right-of-way, or within travel lanes or sidewalks, or attached to traffic control signs, utility, signal poles or snipe signs;
- F. Electronic changeable message signs or signs containing moving graphics, text, or video, or that are flashing, moving, rotating, animated, or inflated;
- G. Advertising vehicle;
- H. Visible ballast boxes or other sign equipment;
- I. Posters, pennants, strings of lights, moving / flashing / blinking lights, balloons, searchlights, exposed electrical conduits, and other displays of a carnival nature, except

- on a limited basis as seasonal decorations or as provided for in DMC 14.50.XXX grand opening displays;
- J. Box or cabinet signs;
 - K. Pole mounted freestanding signs, except those described in DMC 14.50.XXX;
 - L. Roof mounted signs;
 - M. Off-site signage except allowed under this chapter;
 - N. Signs located on canopies made of fabric or other non-ridged material;
 - O. Signs in the city street right-of-way which impede pedestrian or vehicular circulation or use;
 - P. Signs in the city street right-of-way which negatively impacts or has the potential to negatively impact public utilities or vegetation; and
 - Q. Signs that obstruct sight distances or sight distance triangle as defined in Chapter 14.06 DMC, Definitions.

14.50.060 - Exempt signs.

The following signs or displays are exempted from the regulations under this chapter:

- A. Historic site markers or plaques, and address numbers;
- B. Signs required by law, including but not limited to:
 - 1. Official or legal notices issued and posted by any public agency or court; or
 - 2. Traffic directional or warning signs;
- C. Plaques, tablets, or inscriptions indicating the name of a building, date of erection, or other commemorative information, which are an integral part of the building structure or are attached flat to the face of the building, which are non-illuminated, and which do not exceed four square feet in surface area;
- D. Incidental signs, which shall not exceed four (4) square feet in surface area; provided, that said size limitation shall not apply to signs providing directions, warnings, or information when established and maintained by a public agency;
- E. Religious symbols;
- F. The flag of a commercial institution, provided no more than one flag is permitted per business premises; and further provided the flag does not exceed 20 square feet in surface area; and
- G. Public informational signs of a noncommercial nature and erected in the public interest, by or on the order of a city employee such as public events or city-sponsored functions.

- H. Signs not visible from the public right-of-way, neighboring properties or tenant spaces.
- I. Sponsors of and vendors at community events provided the signage is located within the event area and the signage is removed at the end of each day.

14.50.070 - Interpretation of tables and design standards.

- A. DMC 14.50.080 determines whether a specific sign type is allowed in a zone district. The zone district and the public right-of-way are identified in the vertical column and the specific sign type is located on the horizontal row of these tables.
- B. If no symbol appears in the box at the intersection of the column and the row, the sign type is not allowed in that district, except for certain signs allowed pursuant to DMC 14.50.XXX – Temporary Signs.
- C. All reviews are administrative and shall be conducted by the Planning Director except as identified in the table below.
- D. For purposes of 14.50 DMC, the Design Review Board is the City’s Planning Commission. If the table in DMC 14.50.080 requires review and approval from the Design Review Board, the review shall be as follows:
 - 1. Upon submittal, city staff will review the permit and make recommendation to the Design Review Board;
 - 2. The Design Review Board will review the permit at the next available Planning Commission meeting
 - 3. The Design Review Board will approve, approve with modifications, deny with prejudiced or deny without prejudiced.
- E. The pictures and figures contained in 14.50 DMC are intended to illustrate signs that meet these design goals.

14.50.080 - Allowed sign types and design review.

Table of allowed sign types and design review for City zones (for City zones and definitions see City's Zoning Map and [Chapter 14.10 - ZONES, MAPS AND DESIGNATIONS](#)).

		CITY ZONES		
Sign Types	Right- of- Way	OT, RIV, PF	CO, MU,LI, UT1, MT	Residential
Building Mounted Signs:				
Blade	X	X	X	
Directional Sign		X	X	
Wall Sign (g)		X	X	X(b)
Projecting	X	X	X	
Window		X	X	
Illumination				
Internally Illuminated(c)			X	
Externally Illuminated		X(f)	X	
Freestanding Signs:				
Community Banner	X(d)	X	X	
Directional (Pedestrian)	X(d)	X	X	
Directional (Vehicle)	X(d)	X	X	
Monument			X(a)	X(b)
Twin Post			X(a)	
Changeable Message Center (Manual)			X(a)(e)	

Table 14.50.080a

Notations to allowed sign types and design review table 14.50.080a

- (a) Design Review Board required, see Compatibility and Design Review 14.50.XXX
- (b) See residential sign requirements 14.50.XXX
- (c) Internal illumination is not allowed to projecting and blade signs. Additionally, illumination shall comply with [Chapter 14.46 - EXTERIOR LIGHTING STANDARDS](#) but a lighting plan is not required.
- (d) Signage may only be used for community oriented signage such as a community event or celebration or as allowed by this chapter
- (e) Changeable message signs shall only include manual changeable letter and does not include electronic/digital message centers. The changeable message area shall not exceed

Comment [BS1]: Internal illumination?

Comment [BS2]: Ensure there is a definition

60 percent of the sign area (body); fuel price signs shall not exceed 80 percent.

(f) Shadow signs are considered externally illuminated

(g) Design Review Board required for wall signs greater than 100 sq. ft. in size, see DMC 14.50.090(A)(4)

14.50.090 - Allowable sign area. The allowable area is the total signage allotted to a single tenant

A. Allowable building mounted sign areas for single and multi-tenant buildings shall be as follows:

1. Single and Multi-tenant buildings shall have their wall sign allowance determined in accordance with the following table:

Façade Area Allowance:

Primary Façade Area	Maximum Site Area
100-199 square feet	13%
200-499 square feet	the greater of 26 sq. ft. or 10%
500-999 square feet	10%
1000-1499 square feet	the greater of 99 sq. ft. or 9%
1500-2999 square feet	the greater of 135 sq. ft. or 8%
3000 +	the greater of 240 sq. ft. or 6%

2. The maximum sign area per building shall not exceed 300 square feet.
3. Wall sign width shall not exceed a width of 2/3 of the lineal width of the building façade associated with the sign;
4. Any sign in excess of 100 square feet shall require the review and approval of the Design Review Committee. In no case shall a single sign exceed 150 square feet.
5. Single occupancy and multitenant buildings with a secondary façade facing a public right-of-way, such as a corner lot, but excluding alleys, are allowed a secondary signage allowance using 50 percent of the allowable sign area in table 14.50.090 (A).
 - a) The sign area allocated for the secondary façade is not transferable to the primary façade.
6. Blade signs shall not count against the allowable sign area.

14.50.100 - Review and modifications to standards.

- A. All sign permits shall be reviewed as part of permit review requirements, subject to the permit review requirements of Title 10 DMC, including:
 - 1. Signs subject to the administrative review, as indicated by the X in table Table 14.50.080a, shall be reviewed for compliance with DMC 14.50 but shall not be subject to the provisions of 14.50.XXX – Design Review Board;
 - 2. Signs subject to design review board requirements, as indicated by a footnote in table 14.50.080a shall be reviewed for compliance with the DMC 14.50, including the provisions of 14.50.XXX - Design Review Board Requirements
- B. Sign design may be reviewed and approved as part of a development agreement review consistent with DMC 14.50, provided:
 - 1. Specific sign designs approved as part of a unified site development plan will require a building permit, but will not require additional design review at the time of building permit application when in accordance with the approved unified site development plan; or
 - 2. Additional design standards and guidelines may be adopted through the review process, subject to specific design review of signs at the time of building permit application. Additional design standards and guidelines adopted through the review process shall govern all subsequent sign design reviews including replacement signs.
- C. Departures from 14.50 DMC are allowed subject to the following:
 - 1. If an applicant chooses a design not specified in DMC XX.XX, the applicant must submit a written request for a departure from code. The Director will:
 - a) Approved the request at an administrative level;
 - b) Deny the request at an administrative level or
 - c) Forward the request to the Design Review Board for review, per DMC 14.50.XXX.
 - 2. The Director shall not approve applicant proposed modifications to the number of signs allowed, illumination standards, the types of signs allowed, or sign modifications that would result in a sign that is not designed consistent with this purpose of this chapter

14.50.110 - Measurement methods.

- A. Sign area shall be calculated by measuring the smallest single rectangle that will enclose the combined letters, graphics, and/or symbols.
 - 1. Sign area calculation. Calculating individual signs are as follows:

- a) Sign area for monument signs shall be calculated by determining the total surface area of the body, viewed from any single vantage point.
 - b) Sign area for letters or symbols painted or mounted directly on walls shall be calculated by measuring the smallest single rectangle which will enclose the combined letters and symbols.
 - i. Appendages to letters and symbols may be excluded from the calculated sign area.
- B. Sign height for a freestanding sign, the vertical distance measured from the base of the sign to the highest point of the sign or sign structure; and
- C. Sign clearance is measured from the surface of the ground to the lowest portion of the sign structure.
- D. Area of building façade is calculated by multiplying the width of the building or tenant space associated with the commercial use, by the height of the building or tenant space.

14.50.120 - General sign design standards.

Pictures and figures included in each section below are intended to illustrate part or all of the design requirements and limitations discussed in the subsection containing each picture. Care has been taken to ensure that the pictures are consistent with the standards. However, where the picture includes features that are not consistent with design standards contained within the written standard, the written standard prevails.

A. General Requirements.

1. Building mounted sign frames and other support structures, such as raceways, shall be concealed or integrated into the building's architectural character in terms of form, color, and materials such that they are not easily visible;
2. Building mounted signs must be in proportion to the size and design of the architectural features of the building façade (see pictures contained in DMC 14.50.XXX – Compatibility and design review);
3. All signs, except community banners, political, A-boards, and real estate signs shall be on- site signs;

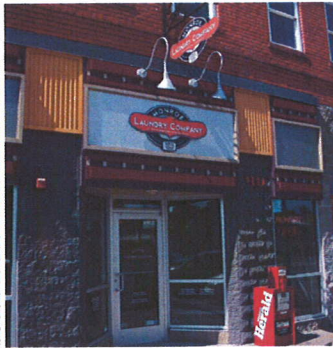
4. Maximum height for building mounted signs shall not extend above the highest exterior wall upon which the sign is located, provided that blade signs shall not exceed the roofline of the building along the façade that the blade sign is attached to;
5. Tenants are allowed one primary sign and one blade sign regulated by this chapter per building façade/elevation, up to a maximum of two facades;
6. Tenants are allowed one A-board per tenant entry (see applicable standards in DMC 14.50.XXX).
7. Signs shall not cover windows, building trim, or architectural ornamentation;
8. All signs shall be of a professional quality
9. Wall Sign Design Requirements. All wall signs shall be one of the following designs:
 - a) Channel letter signs individually mounted on a building wall;
 - b) Channel letters mounted on a raceway, painted to match building façade, that is mounted to the building wall;
 - c) Wooden sign mounted to building wall; metal cutout letters mounted to a building wall or metal or wooden raceway;
 - d) Other sign types that meet the intent of the visioning, downtown, and comprehensive plans as determined by the director.

Comment [BS3]: Is this covered on wall signs

Comment [BS4]: Remove or change



Yes



Yes



No (Sign too high)

Figure 14.50.120a. Acceptable and unacceptable sign examples.

B. External Illumination. Signs may be illuminated as follows:

1. Illumination shall be limited to the allowed uses in Table 14.50.080a, provided that no sign may be both internally and indirectly illuminated;

2. Indirect sign illumination shall be no further away from the sign than the height of the sign;
3. Externally illuminated signs shall be arranged so that no direct rays of light are projected from such artificial source into residences or any street right-of-way;
4. External sign light fixtures shall complement the design of the sign and building façades or structures associated with the sign;
5. External sign lighting shall be “full cutoff” and shall not result in direct illumination of the sky and adjacent properties and structures, and shall be designed to minimize reflected glare to adjacent properties and structures;
6. Sign illumination within a mixed use development shall automatically turn off within one (1) hour of the close of the business, use, or activity; and,

Additional illumination standards may be contained in DMC 14.46 -



Yes

Yes

No (Fixtures do not complement design of building)

Figure 14.50.120b. Acceptable and unacceptable sign examples.

C. Location. All signs shall be located as follows:

1. Building mounted signs:

- a) Shall be attached to the building façade of the business or commercial enterprise they are advertising;
- b) Shall be located on the same floor as the business or commercial enterprise they are advertising, provided that businesses that occupy more than one floor shall place the sign on the lowest floor occupied by the business;
- c) Shall not conflict with the ability to view any other sign associated with the building to which the sign is attached;

- d) Shall not conflict with vehicle travel lanes if blade or projecting signs extend into the street right-of-way as otherwise allowed by the City; and,
- e) May extend over the sidewalk if they are projecting or blade signs otherwise approved by the City.

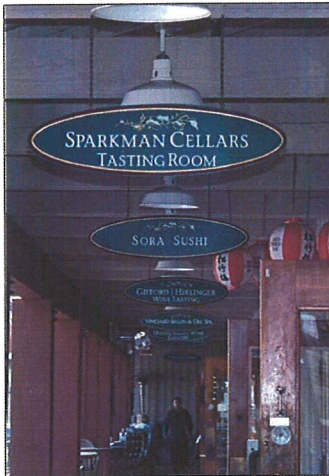
2. Freestanding signs:

- a) Shall be located on the lot or development for which it is advertising;
- b) Located on private property shall be no closer than 5 feet from the street; unless, additional public right-of-way exists and approval is given by the Director of Public Works. The Director of Public Works may require the applicant to record an easement prior to installation of the sign.

14.50.130 - Design standards for specific sign types.

Pictures and figures included in each section below are intended to illustrate part or all of the design requirements and limitations discussed in the subsection containing each picture. Care has been taken to ensure that the pictures are consistent with the standards. However where the picture includes features that are not consistent with design standards contained within the written standard, the written standard prevails.

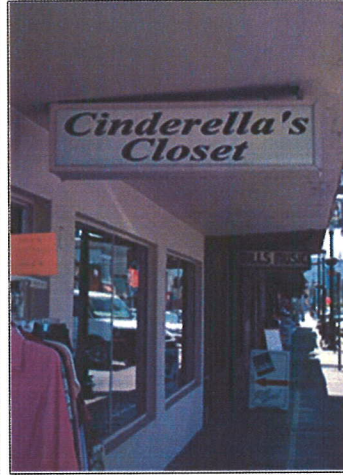
- A. Blade signs. Blade signs are pedestrian oriented signage that may be allowed as noted in DMC 14.50.080, provided that blade signs:
 - 1. Shall provide a minimum clearance of 8 feet;
 - 2. Shall be limited to six (6) square feet of sign area;
 - 3. Buildings that contain multiple tenants shall use a similar shape and mounting technique;
 - 4. Shall be attached to building canopy or overhang and may be attached to the wall if overhead attachment points are not available;
 - 5. Blade signs shall not count against the allowable sign area.
 - 6. The supporting structure or mounts shall consist of decorative hardware
 - a) The director may waive this requirement if the mounts are screened by the overhead structure or sign.



Yes



Yes



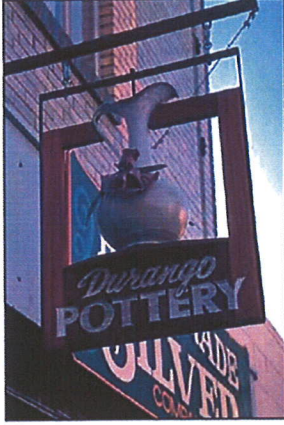
No (Box Sign)

Figure 14.50.XXX. Acceptable and unacceptable blade sign.

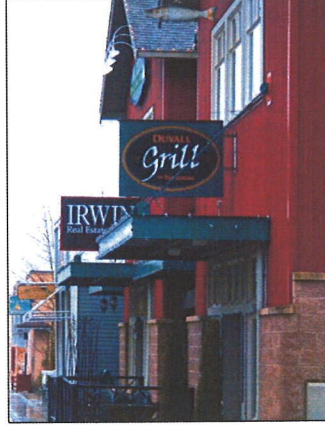
B. Projecting signs. Projecting signs are auto oriented signage that serves as the businesses primary sign.

1. Shall provide a minimum clearance of 8 feet;
2. The length of the sign shall not project more than five (5) feet from the building façade and shall not exceed six (6) feet in height;
3. Interior edge not to project more than six (6) inches from the building wall;
4. Sign text and graphics may use opaque signs containing internal illumination consistent with DMC 14.50.XXX.
5. Maximum sign size is 25 sq. ft.
6. Total sign width shall be no greater than four (4) inches
7. The supporting structure or mounts shall consist on decorative hardware
 - a) The director may waive this requirement is the mounts are less than six (6) inches in length.

Comment [BS5]: too expensive may cause confusion



Yes



Yes



No (Box Sign)

Figure 14.50.XXX. Acceptable and unacceptable projecting signs

C. Wall Signs. These signs may be allowed as noted in DMC 14.50.080, provided that:

1. Channel letter, opaque, graphics, painted, or shadow signs that are also wall signs shall be attached directly to the building façade, such that there is a maximum protrusion of one foot unless the sign incorporates sculptural elements or architectural devices. The sign frame shall be concealed or integrated into the building's architectural character in terms of form, color, and materials;
2. Channel letter and shadow signs shall only be wall signs;
3. Lettering on opaque signs may be internally illuminated where the light only shines through the letters;
4. Shadow signs may be illuminated by reflected lighting against the building façade located behind the sign letters or graphics;
5. The raceway of channel letter signs shall be painted to match the color of the building façade.
6. Painted signs may be illuminated by indirect fully cutoff lighting;



Figure 14.50.XXX. Acceptable and unacceptable sign examples.

D. Marquee signs. Marquee signs may be allowed as noted in DMC 14.50.XXX, provided that:

1. The sign shall provide a minimum clearance of 8 feet;
2. The face of the sign (lettering and graphics) on a marquee shall be on a parallel plane to the building facade;
3. The marquee supporting the sign shall extend at least 3 feet from the face of the building, shall be located over a pedestrian walkway or sidewalk, and shall be designed to provide protection from the weather, in addition to supporting the sign;
4. Sign may be comprised of channel lettering, opaque, or shadow signs;
5. Sign lettering and graphics shall not exceed 2 feet in height;
6. Marquee signs may be placed on the front, above, or below the marquee associated with the sign;

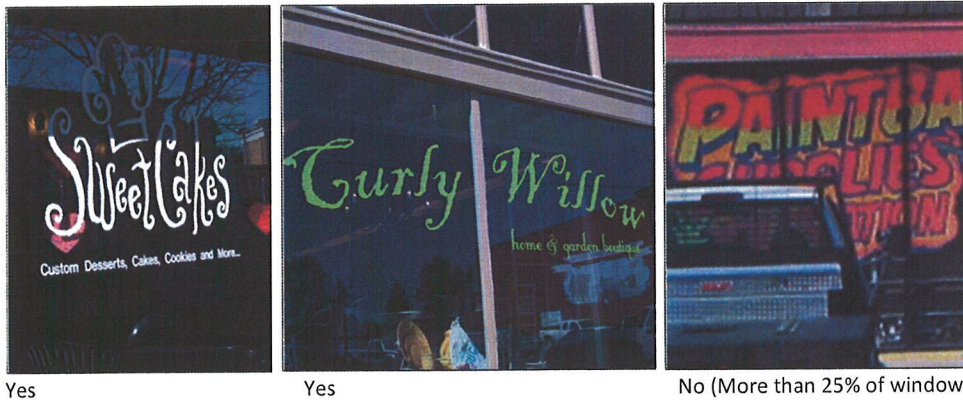
7. Marquee signs may be externally illuminated, internal illumination is not allowed.



Figure 14.50.XXX. Acceptable and unacceptable marquee/awning signs.

E. Window signs. Window signs may be allowed as noted in DMC 14.50.XXX, provided that:

1. Permanent and temporary window signs are limited to a maximum of 25% of the gross window area ;
2. Signs shall be professionally painted or constructed of neon, stained glass, cut vinyl, or etched glass;
3. Incidental signage such as business hours not exceeding two (2) inches in letter height and menus do not count against the allowable sign area.
4. Signs shall not be illuminated, except an single internally lit neon open signs:
 - a. Lit neon open signs sign shall not exceed two square feet in size and shall not count against the allowable sign area.



Yes

Yes

No (More than 25% of window)

Figure 14.50.XXX. Acceptable and unacceptable window signs.

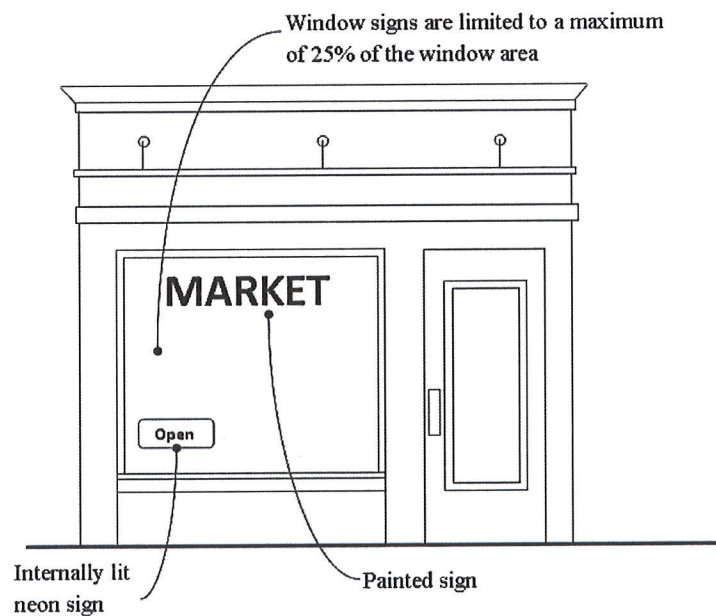
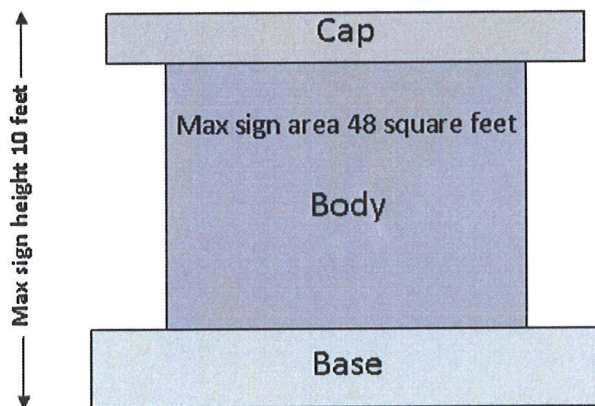


Figure 14.50.XXX. Window sign example

- F. Freestanding Signs (Figure 14.50.XXX. Freestanding signs may be allowed as noted in DMC 14.50.080. One freestanding sign is allowed per three hundred (300) feet of street frontage, or portion thereof. Such signs shall be separated from one another by a minimum of one hundred fifty (150) feet, if located on the same street frontage provided that:

1. Monument Signs.

- a. The monument signs shall provide a cap, body and base:
 - i. The cap shall be a distinct architectural element of the sign, differing from the body in shape and/or size. The body shall not exceed 48 square feet.
 - ii. The base shall be a distinct element of the sign, width cannot be less than half the base width.
- b. The sign may be up to 10 feet tall;
- c. Monument signs shall comply with the basic design elements shown in Figure 14.50.XXX;
- d. The total sign area contained within a monument sign shall not exceed 48 square feet;
- e. All text shall be displayed in the body of the sign;
- f. The minimum letter height is four (4) inches;
- g. Monument sign shall be setback five feet from the public right-of-way.
- h. Type III landscaping per DMC 14.38.080 is required within five feet of the sign, existing landscaping may count toward this requirement.



Standard monument sign allowance (Figure 14.50.XXX)



Yes



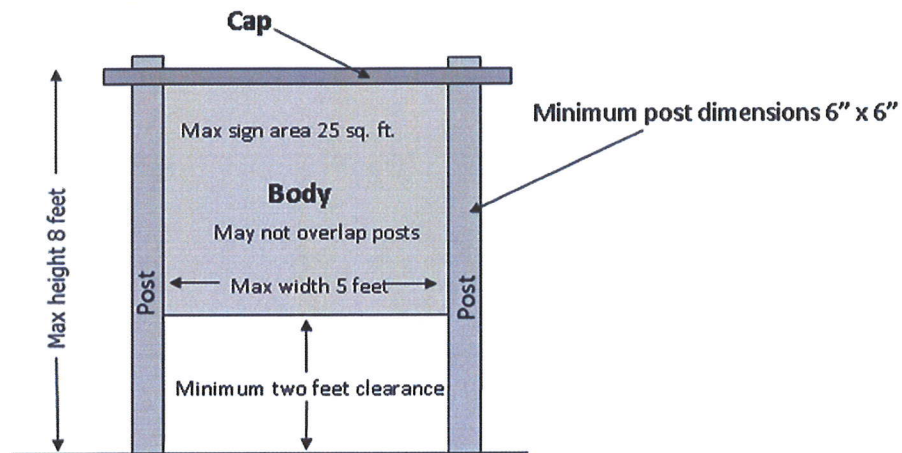
Yes



No, separation between faces counts as two signs, no cap

Example monument sign (Figure 14.50.XXX)

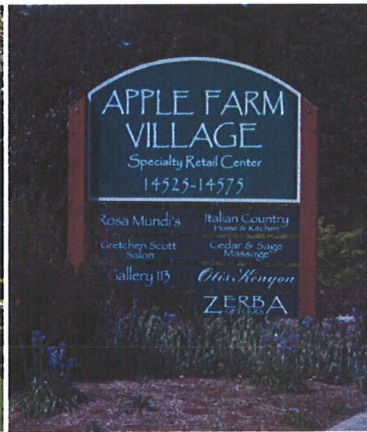
2. Twin Post Sign. The intent of these signs is to allow business owners a more affordable option to the traditional monument sign. This type of sign shall comply with the following:
 - a. The monument signs shall provide a cap, body and post:
 - i. The cap shall be a distinct architectural element of the sign, differing from the body in shape and/or size
 - ii. The body shall not exceed 25 square feet
 - iii. The posts are required to have a minimum six inch by six inch post, rock or other decorative material, as approved by the Planning Director, may substitute for wood posts
 - b. Maximum number allowed is one (1) per parcel;
 - c. The maximum height for monument signs shall be eight (8) feet;
 - d. The minimum letter height is four (4) inches:
 - e. Post signs shall be placed no closer than five feet from the edge of the public right-of-way;
 - f. Sign shall include the element in Figure 14.50.XXX or Figure 14.50.XXX;
 - g. All text shall be displayed in the body of the sign:
 - h. Type III landscaping per DMC 14.38.080 is required within five feet of the sign.
 - i. Multitenant signs must be uniform in design
 - j. Individual tenant plaques for the optional post sign, as shown in Figure 14.50.XXX, shall be supported and/or anchored on all four sides.



Standard post sign allowance (Figure 14.50.XXX)



Yes

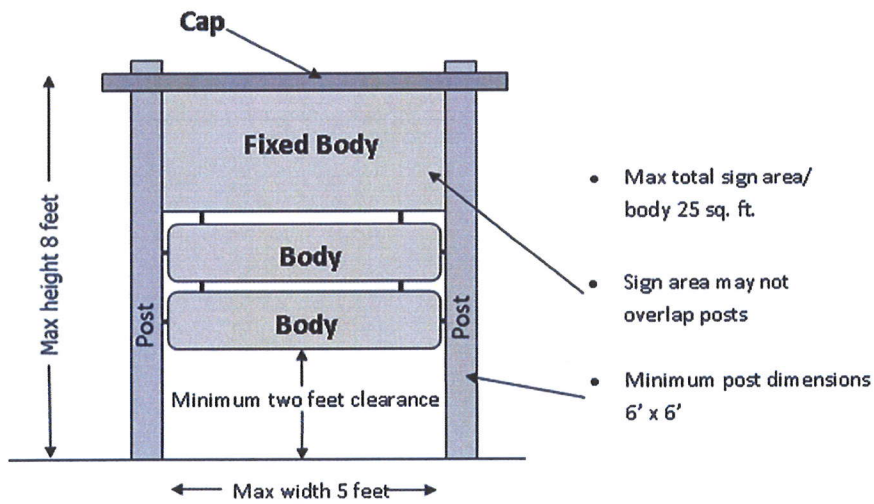


Yes



No, overlaps posts and signs lack cohesiveness

Figure 14.50.XXX. Acceptable and unacceptable Twin Post signs



Optional post sign allowance (Figure 14.50.XXX)

G. Directional Signs. Directional signs are noncommercial in nature and may be allowed as noted in DMC 14.50.XXX, provided that:

- Directional signs shall not count toward the total signage allotment
- Signs shall be located within 10 feet of the intersection of two or more pedestrian sidewalks or paths;
- Signs shall not exceed a height of four feet;
- Sign area shall not exceed six (6) square feet;
- Signs are noncommercial in nature;
- One directional sign shall be allowed per entrance to the site.

H. Residential Signs. These signs may be allowed as noted in DMC 14.50.XXX, provided that:

1. Home Occupation:
 - a. No signs of any type regarding the home occupation shall be exhibited or displayed on the site per 14.54 DMC.
2. Nonconforming Use or Conditional Use in a residential zone:
 1. Allowable sign area shall be calculated using DMC 14.50.090;
 2. Allowable sign type and review shall follow the OT and RIV zones in DMC 14.50.080.
3. Formal subdivisions and multifamily properties
 - a. Site shall contain four or more dwelling units;
 - b. Sign may only identify the name of the development;
 - c. No more than two signs per development
 - d. The sign may be monument or mounted on a wall or other structure.
 - e. Sign may not exceed six feet in height or 32 square feet in size.

14.50.140 – Compatibility and Design Review Requirements. The following criteria will be used for sign permit review at an administrative level and by the Design Review Board. The goal of this section is:

Comment [BS6]: Add why and move to end of code

- A. To encourage interesting, creative, and unique sign design that is consistent with the character of the City;
- B. To encourage signs that are timeless, create an intimate pedestrian environment associated with the Downtown Sub-Area Plan; and,
- C. Architectural compatibility: The signs shall be compatible in size, proportion, shape, character, and quality of design with the exterior architecture of the premises and other structures in the immediate area.
- D. Simplicity: To the extent feasible, the sign should be graphic and with limited use of words, with the design emphasis on simplicity of style. A simple design or abstract graphic design is preferred.
- E. Target Audience: Only one sign per building elevation should be designed for vehicle and pedestrian use. Signs that are targeted primarily to serve pedestrians are generally preferred over signs targeted for both pedestrian and vehicle audiences.

- F. Identification: A commercial sign should be designed for the primary purpose of identifying a business or office.
- G. Shape, size, and orientation: The shape of a sign should not conflict with the architectural lines of its setting. Signs should be directed toward the passing motorist or pedestrian. No sign should be designed to be readable or to attract motorists from a great distance.
- H. Illumination and colors: A sign must not overpower its surroundings through hue, saturation, or brilliance or close combination of incompatible colors. Sources of illuminations shall be screened from public view and shall be designed to avoid glare onto a street or adjacent property.
- I. Landscaping: Signs shall be placed with consideration for existing and future growth of trees and other landscaping. A monument sign reviewed under this section must be placed in a landscaped area or planter, with landscaping maintained.
- J. Compatibility with adjacent uses: The design, illumination, and location of a sign shall not impair the visibility or the design quality of existing, conforming signs, adjacent buildings, or adjacent uses.
- K. To ensure that signs are part of, and consistent with, the overall design approach of a project.

14.50.150 – Temporary Signs. The following temporary signs or displays are permitted in all zones otherwise indicated in this section. Signs located in the city street right-of-way shall be located outside of the improved portion of the right-of-way (behind the sidewalk, roadway shoulder, drainage ditch etc, whichever is furthest from the traveled roadway), and may be removed by the city if determined to be a hazard or if the placement is otherwise in conflict with the public use of the right-of-way.:

A. Commercial A-Boards

- 1. A-boards may not exceed three (3) feet in width and four (4) feet in height;
- 2. tenant spaces contiguous to portions of the right-of-way may place A-boards within that portion of improved right-of-way
- 3. The maximum height of the sign is four feet and the minimum height is two feet above the sidewalk;
- 4. All lettering on the sign is accomplished using professional stencils and any artwork is of a professional quality;
- 5. Only one A-board sign is permitted per tenant entry (public) , except for real estate signs allowed under subsection 14.50.XXX of this section;

6. A-frame signs must be located within the lesser of the width of the tenant space or lot which the tenant is located.
 7. A sign permit is obtained from the city building and planning departments, after the city has been indemnified against all damages, and has been named as co-insured with a minimum coverage of one million dollars (\$1,000,000.00);
 8. A street use permit is obtained from the city public works department unless otherwise waived.
 9. A-boards shall only be displayed during business hours.
- B. Grand opening displays:
1. Temporary signs, posters, pennants, strings of lights, blinking lights, balloons and searchlights are permitted for a period of up to forty-five (45) days to announce the opening of a new enterprise or the opening of an enterprise under new management.
 2. All grand opening displays shall be removed upon the expiration of forty-five (45) consecutive days.
 3. Grand opening displays are not allowed in any residential zone.
- C. Construction signs:
1. Construction signs identifying architects, engineers, planners, contractors, or other individuals or firms involved with the construction of a building and announcing the character of the building or the purpose for which the building is intended may be displayed;
 2. One non-illuminated, double-faced sign is permitted for each public street upon which the project fronts;
 3. No sign shall exceed 32 square feet in surface area or 10 feet in height, or be located closer than 30 feet from the property line of the adjoining property; and
 4. Construction signs must be removed by the date of first occupancy of the premises or one year after placement of the sign, whichever occurs first.
- D. Political Signs. Political signs do not require sign permits and are allowed, subject to the following requirements:
1. Location.
 - a. Political signs may be displayed on private property with the consent of the property owner;
 - b. Political signs may be displayed within the city street right-of-way provided the location complies with the provisions of this chapter.

2. Specifications.

- a. Political signs located on private property may have a maximum sign area of up to 32 square feet;
- b. Freestanding political signs on private property may be up to eight feet tall;
- c. Political signs located on or within city street right-of-way may have a maximum sign area of up to four square feet and may be up to three feet tall above grade;

3. Removal.

- a. Political signs shall be removed within fourteen (14) days following the election;
- b. Property owners shall be responsible for the removal of political signs located on private property;
- c. The campaign officer or responsible official shall be responsible for the removal of political signs located on or within public easements or streets.

D. Real estate signs. Signs advertising an individual residential unit for sale or rent are allowed, subject to the following:

1. Location

- a. One on-site sign per street frontage or road intersection;
- b. One portable off-site per turning movement is allowed on private property or in city street right-of-way, subject to the following:
 - i. Off-site sign may be located on private property with the consent of the property owner.
 - ii. Off-site signs may be displayed within the city street right-of-way provided the location complies with the provisions of this chapter.

2. Specifications.

- a. Signs advertising an individual residential unit for sale or rent not exceed six square feet in area, and shall not exceed six feet in height.
- b. Event signs shall not exceed six square feet in area for each sign, and shall not exceed forty-two (42) inches in height. They shall be completely self-supporting, able to withstand a lateral pull of at least fifty (50) pounds applied perpendicular to the plane of the sign at the highest point of the sign, and its center of gravity is not more than one-

third the height of the sign above the sidewalk. All lettering on the sign is accomplished using professional stencils and any artwork is of a professional quality.

- c. On-site commercial, industrial, residential neighborhood or multifamily complex for sale or rent property for sale or rent signs shall not exceed thirty-two (32) square feet in area, and eight (8) feet in height.

3. Removal

- a. On-site signs shall be removed within five (5) days after closing of the sale, lease or rental of the property.
- b. Portable off-site signs shall be permitted during daylight hours and/or when the agent or seller is in attendance at the property for sale. These signs shall be permanently removed five (5) days after closing of the sale, lease or rental of the property.

E. Community Event Signs. Community event signs are allowed, subject to the following requirements:

1. Location.

- a. Community event signs may be displayed on private property with the consent of the property owner;
- b. Community event signs may be displayed within the city street right-of-way provided the location complies with the provisions of this chapter.
- c. All applicants shall submit an Event Signage Plan depicting the location of each sign.

2. Specifications

- a. Event signs shall not exceed six square feet in area for each sign, and shall not exceed forty-two (42) inches in height. They shall be completely self-supporting, able to withstand a lateral pull of at least fifty (50) pounds applied perpendicular to the plane of the sign at the highest point of the sign, and its center of gravity is not more than one-third the height of the sign above the sidewalk. All lettering on the sign is accomplished using professional stencils and any artwork is of a professional quality.

3. Installation and Removal

- a. Signs may be installed one (1) week prior to the event or as approved by the Planning Director
- b. Signs shall be removed five (5) days following the event
- c. The permit shall include the location and type of sign used during the event.

Comment [BS7]: Look into timeline

F. Community banner signs. Community banners are allowed subject to the following provisions:

- a. Community banners shall only be located in assigned areas designated by the City
- b. Banners shall not be illuminated
- c. Sponsor logos shall be limited to the name and corporate symbol of the sponsor and shall not exceed 25 percent to the banner.

G. Murals

- a. Murals may be painted or otherwise placed on any building or structure where permitted. However, a rendition of the mural shall be reviewed and approved by the Planning Director and Cultural Commission prior to placement.
- b. Murals containing a commercial sign message shall require a sign permit and shall only be allowed in the commercial zoning districts. The commercial “display area” of the mural shall be calculated against the allowed signage for the site and/or tenant.

H. Miscellaneous Signs.

- a. Garage sales, family reunions, special parties, and similar special and limited event signs may be displayed no earlier than seven (7) days prior to the event and shall be removed within five (5) days after the event.

14.50.060 - Master Sign Plan. This section shall govern master sign site plans in all zoning districts except residential uses and zoning districts. This section establishes a binding master sign site plans for multitenant buildings in order to establish consistent sign design, location and materials. The plan shall fulfill the following requirements:

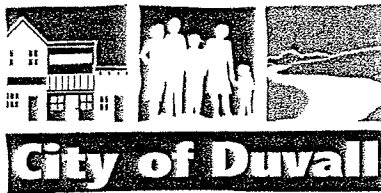
1. A master site plan drawn to scale delineating the site and areas of future phased development proposed to be included within the master sign plan and the general location of all proposed signs;
2. Drawings or sketches indicating the exterior surface details of all buildings on the site on which signs are proposed;
3. Drawings or sketches of all proposed freestanding signs including directional and directory signs;
4. A schedule showing the total allowed signage on the site in accordance with the underlying zoning and applicable section of the sign code;
5. A narrative explaining how the proposal constitutes exceptional effort towards creating a consistent design theme by way of color, materials, types and locations of signs;
6. Approval and Modification. The director shall approve a master sign site plan and subsequent modifications. Any deviation from the approved master sign site plan such as additional signage, relocating signs, replacement signs and other modifications not

including tenant name changes shall require modifying and updating the approved master sign site plan on file at the city.

14.50.070 – Removal of Signs. Signs shall be removed under the following conditions:

1. The sign is a threat to health, life and/or safety;
2. The tenant vacates the space and the building owner does not remove the sign within five (5) days. If the sign is not removed after this time period, the City will remove the sign at the owners expense;
3. Signs in violation of this chapter;
4. Sign is nonconforming;

|



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CITY OF DUVALL
Planning Department
Determination of Non-Significance
UDR Text Amendment (14.50 DMC)
June 6, 2012

PROJECT NAME / DESCRIPTION OF PROPOSAL

Unified Development Regulations (UDR) Amendment to 14.50 DMC the proposal amends Duvall Municipal Code 14.50 – Sign Code.

APPLICANT/CONTACT

Ben Swanson
City of Duvall
P.O. Box 1300
Duvall, WA 98019

LEAD AGENCY

Lead Agency: City of Duvall, PO Box 1300, Duvall, WA 98019

The responsible official hereby makes the following determination based upon impacts identified in the environmental checklist and evaluated by staff, the policies set out in the 2006 City of Duvall Comprehensive Plan, and other municipal policies, plans, rules and regulations designated as a basis for the exercise of substantive authority of the Washington State Environmental Policy Act Rules pursuant to RCW 43.21C.

It is hereby determined that this proposal does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.031(1). This DNS is issued under WAC 197-11-340; the lead agency will not act on this proposal for at least 14 days from June 6, 2012.

DESCRIPTION OF ACTION AND IMPACTS

This action will repeal and replace DMC 14.50 sign code. The proposed code with add design guideline, allow greater sign area for freestanding signs and update the chapter to reflect existing zoning designations.

COMMENT PERIOD

Comments regarding the DNS must be submitted no later than 4:30 p.m. on Wednesday, June 20, 2012. Appeals shall be filed in accordance with DMC 14.08.060.C.

RESPONSIBLE OFFICIAL

Lara Thomas, Planning Manager
PO Box 1300, Duvall, WA 98019, (425) 788-1156


Lara Thomas, Planning Manager



Date

Exhibit 4



STATE OF WASHINGTON

DEPARTMENT OF COMMERCE

1011 Plum Street SE * PO Box 42525 * Olympia, Washington 98504-2525 * (360) 725-4000
www.commerce.wa.gov

April 4, 2012

Ben Swanson
City of Duvall
15535 Main Street Northeast
Post Office Box 1300
Duvall, Washington 98019

Dear Mr. Swanson:

Thank you for sending the Washington State Department of Commerce (Commerce) the following materials as required under RCW 36.70A.106. Please keep this letter as documentation that you have met this procedural requirement.

City of Duvall - Proposed revisions to DMC 14.50 Signage. These materials were received on April 03, 2012 and processed with the Material ID # 17968.

We have forwarded a copy of this notice to other state agencies.

If this submitted material is an adopted amendment, then please keep this letter as documentation that you have met the procedural requirement under RCW 36.70A.106.

If you have submitted this material as a draft amendment, then final adoption may occur no earlier than sixty days following the date of receipt by Commerce. Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Dave Andersen (509) 434-4491 or Paul Johnson (360) 725-3048.

Sincerely,

Review Team
Growth Management Services

Exhibit 5

LOCALLY OWNED. UNIQUELY NORTHWEST.

RECEIVED

JUL 18 2012

CITY OF DUVALL

The Seattle Times

seattletimes.com

PO Box 70, Seattle, WA 98111

City of Duvall
City Clerk
Po Box 1300

Duvall, WA 98019

Re: Advertiser Account # 106931

Ad #: 214433

Affidavit of Publication

STATE OF WASHINGTON
Counties of King and Snohomish

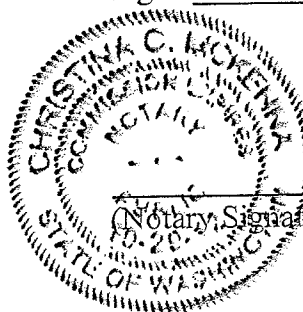
The undersigned, on oath states that he/she is an authorized representative of The Seattle Times Company, publisher of The Seattle Times of general circulation published daily in King and Snohomish Counties, State of Washington. The Seattle Times has been approved as a legal newspaper by others of the Superior Court of King and Snohomish Counties.

The notice, in the exact form annexed, was published in the regular and entire issue of said paper or papers and distributed to its subscribers during all of the said period.

Newspaper and Publication Date(s)	
Seattle Times	07/16/12

Agent Marilyn Chavez

Signature Marilyn Chavez



Subscribed and sworn to before me on July 17, 2012
DATE

Christina C. McKenna
(Notary Signature)

Notary Public in and for the State of Washington, residing at Seattle

Christina C. McKenna Exhibit 6

LOCALLY OWNED. UNIQUELY NORTHWEST.

The Seattle Times

seattletimes.com

Re: Advertiser Account # 106931

Ad #: 214433

AD TEXT

CITY OF DUVALL NOTICE OF PUBLIC HEARING

Amendments to Title 14 of the Duvall Municipal Code - Unified Development Regulations CA11-02 July 26, 2012

The City of Duvall City Council will hold a public hearing for the 2012 zoning code amendments on Wednesday, July 26, 2012 at 7 p.m. Duvall Fire Station 15600 - 1st Avenue NE, Duvall, Washington.

This is a City of Duvall initiated code amendment that began January of 2011.

The Planning Commission held a Public Hearing on July 18, 2012. City Council will be taking public testimony on July 26, 2012 at the public hearing on the following proposed amendment(s) to:

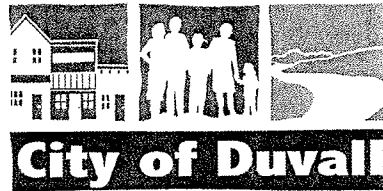
Duvall Municipal Code Chapter 14.50 Signs - the proposed code amendment repeals the existing Chapter 14.50 and adopts the revised Chapter 14.50.

Planning Commission and City Council make take action on the proposed code amendment.

Applicant: City of Duvall
P.O. Box 1300
15535 Main Street NE
Duvall, WA 98019

Project Planner: Ben Swanson, Associate Planner, PO Box 1300, Duvall, WA 98019
(425)788-2779, ben.swanson@duvallwa.gov

Copies of all application documents are available for review at City Hall. In addition, a copy of the staff report will be available 7 days prior to the Hearing. All interested parties may appear and provide testimony to the above proposal at the Public Hearing. Written comments regarding this proposal will be accepted up to and at the Public Hearing. Comments should be addressed to the Planning Department at the address shown above. Contact the Planning Department for appeal procedures. If you have any questions, please call the Project Planner.



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No. 808

AN ORDINANCE AMENDING ORDINANCE #765 AND DMC CHAPTER 14.50
TO REVISE THE REQUIREMENTS AND REGULATIONS FOR THE
DISPLAY OF SIGNS IN THE CITY OF DUVALL.

Whereas the City Council held a public hearing on the proposed
amendment to the Unified Development Regulations on the 22nd day of
August, 1996,

Now, Therefore, Be It Ordained by the City Council of the City of Duvall,
Washington, as follows:

Section 1. Amendment. Ordinance #765 and DMC Chapter 14.50
are hereby amended as follows:

See the attached Exhibit "A" which is incorporated by reference the same as
though it were fully set forth herein.

Section 2. Effective Date. This ordinance shall become effective from and
after its passage and the expiration of five days after publication as provided
by law.

Section 3. Continued Validity. Except as amended herein, Ordinance
#765 and Chapter 14.50 of the Duvall Municipal Code (Unified Development
Regulations) shall remain in full force and effect.

Passed by the City Council of the City of Duvall at a regular public
meeting thereof and signed by the Mayor this 12th day of Sept 1996,
1996.

Ken Kuntz
Ken Kuntz, Mayor

Authenticated and Attested,
including the attached revisions
to Chapter 14.50
by:

Gloria Judd
Gloria Judd, City Clerk

Approved as to form:

Brad Kooistra
Brad Kooistra of Berkey & Kooistra,
City Attorneys

Exhibit 7

Chapter D4

14.50.000 Signs

Sections:

- 14 50 010 Purpose
- 14 50 020 General Permit requirements
- 14 50 030 Definitions
- 14 50 040 Exempt signs
- 14 50 050 Prohibited signs
- 14 50 060 Sign area calculation
- 14 50 070 General sign requirements
- 14 50 080 Community bulletin board signs
- 14 50 090 Open space (Os) signs
- 14 50 100 Residential zone (Rmh-R16) signs
- 14 50 110 Employment zone (Eo) signs
- 14 50 120 Commercial zone (Co) signs
- 14 50 130 Mixed use district (Mxd) signs
- 14 50 140 Public facility (Pf) signs
- 14 50 150 Neon illuminated sign
- 14 50 160 Signs or displays of limited duration

14.50.010 Purpose

The purpose of this chapter is to enhance the visual environment of the city by

- a Establishing standards that regulate the type, number, location, size, and lighting of signs
- b Recognizing the private purposes of signs for the identification of businesses and promotion of products and services
- c Recognizing the public purposes of signs which includes considerations of traffic safety, economic vitality, and aesthetics

14.50.020 General Permit requirements

a Permit - Required

1) No sign shall be erected, altered, enlarged, illuminated or relocated, except in accordance with the provisions of this chapter, without sign permit approval by the Planning and Building Departments

2) No sign permit shall be required for repainting, cleaning or other normal maintenance and repair of a sign, or for sign face and copy changes that do not alter the size or structure of the sign

b Permit - Application

1) To obtain a permit required by this chapter, the applicant shall file an application which shall:

- i) Clearly indicate the precise location of the proposed sign;
- ii) Be accompanied by adequate plans and specifications;
- iii) Be signed by the owner and authorized agent;
- iv) Be accompanied by the applicable permit fee in accordance with the City's adopted fee schedule.

14.50.030 Definitions

a: Automotive Signs. Automobile in a stationary position for more than 72 hours and containing advertisement over 60% coverage of the vehicle's side panels.

b: Banner. A flexible material (i.e. cloth, paper, vinyl, etc.) on which a sign is painted or printed.

c: Billboard. A ground, wall, or roof sign erected, constructed or maintained for the purpose of displaying outdoor advertising by means of pictorial or reading matter attached thereto and available by means of rental to persons other than the owner of the sign.

d: Building. All of the connected or independent structures used in the conduct of business or human occupancy which are located on a single business site or lot.

e: Construction/Contractor sign. A temporary sign for informational purposes which identifies the architect, engineers, contractors and other individuals, or firms involved with the construction of a building or announcing the character of the building or enterprise, which is erected during the building construction period.

f: Double faced sign. A sign with two faces on opposite sides of each other.

g: Election sign. Temporary signs for local, state or national purposes advertising a candidate or candidates for public elective office or a political party, or signs urging a particular vote on a public issue or referendum decided by ballot.

h: Erect. To build construct, alter, repair, display, relocate, attach, hang, place, suspend, affix or maintain any sign, and also includes the painting of exterior wall signs.

i: Exempt signs. Signs or displays exempted from the regulations under this chapter.

j: Freestanding Pole sign. Permanent single or multi-faced sign supported by one or more poles or bracing from the ground, but not attached to a building.

k: Height of Sign. The vertical distance measured from the curb grade of the nearest street to the highest point of the sign structure; and for a sign attached to a building, the vertical distance measured from the building grade to the highest point of the sign or structure.

l: Illuminated sign. A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

m: Mansard. A sloped roof or roof-like facade architecturally comparable to as building wall.

- n Monument sign Ground-supported single or multi-faced sign attached to a cement, rock or brick base and extending no higher than eight (8) feet
- o Real estate sign, off-premise Portable or temporary sign advertising a property that is for sale, rent or lease that is located off the site which is for sale, rent or lease
- p Real estate sign, on-premise Portable or temporary sign advertising a property that is for sale, rent or lease that is located on the site which is for sale, rent or lease
- q Readerboard Sign on which the letters are readily replaceable such that the copy can be changed from time to time at will
- r Right-of-way Land, property, or property interest (e g easements) usually in a strip acquired for or devoted to transportation
- s Roof signs Signs erected or constructed wholly upon and over the roof of any building and supported solely on the roof structure Signs standing out horizontally from a mansard roof are considered wall signs, however, they may not extend vertically above the top of the mansard
- t Rotating sign Any sign that revolves on a fixed axis
- u Setback The distance from the property line to the nearest part of the applicable building, structure or sign, measured perpendicularly to the property line
- v Street Frontage The side of a building facing a street which abuts the property on which the building is located
- w Subdivision/Residential sign A monument or wall sign identifying a recognized subdivision, condominium or apartment complex
- x Temporary signs Signs intended to be displayed during a limited period of time
- y Wall sign Any sign attached to and supported by a wall of a building, or the wall of a structure, including a mansard roof, with the exposed face of the sign in a plane parallel to the plane of the wall Any sign placed behind glass or within a building and located in such a manner as to have an obvious intent to capture interest of those outside the building, shall be considered a wall sign and shall be treated in the same manner

14.50.040 Exempt signs

The following signs or displays are exempted from the regulations under this chapter

- a Historic site markers or plaques, gravestones, and address numbers
- b Signs required by law, including but not limited to
 - 1) Official or legal notices issued and posted by any public agency or court
 - 2) Traffic directional or warning signs
 - 3) Utility warning and identification signs

c: Plaques, tablets or inscriptions indicating the name of a building, date of erection, or other commemorative information, which are an integral part of the building structure or are attached flat to the face of the building, which are nonilluminated, and which do not exceed 4 square feet in surface area.

d: Incidental signs, which shall not exceed 2 square feet in surface area, provided that said size limitation shall not apply to signs providing directions, warnings or information when established and maintained by a public agency.

e: Flags, pennants, or insignia of any governmental or nonprofit organization when not displayed in connection with a commercial promotion or as an advertised device.

f: Religious symbols where attached to a structure.

g: The flag of a commercial institution, provided no more than 1 flag is permitted per business premises, and further provided the flag does not exceed 20 square feet in surface area.

14.50.050 Prohibited signs

Except as indicated by this chapter, the following signs or displays are prohibited:

a: Portable and mobile readerboard signs, except for signs permitted under political sign allowances elsewhere in this chapter.

b: Freestanding pole signs. Freestanding pole signs are not permitted within the city's corporate limits. No freestanding pole signs shall be erected, modified, or relocated, nor shall the city issue any permits authorizing such signs.

c: Signs, other than utility warning and identification signs, affixed to utility structures, including utility poles, without the consent of the utility and the City.

d: Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be confused with traffic control signs or signals.

e: Signs located in the public right-of-way, except where permitted in this chapter.

f: No signs shall be animated or moving (rotating, flashing or blinking, chasing or scintillating) either mechanically or by illumination or by electronics.

g. No displays or banners, clusters of flags, posters pennants, ribbons, streamers, strings of lights, spinners, twirlers or propellers, balloons, search lights, portable signs, bubble machines and similar devices of a carnival nature or containing elements creating sound or smell, except when allowed as temporary signs for grand opening displays.

h: Billboards. Billboards are not permitted within the city's corporate limits. No billboard shall be erected, modified, or relocated, nor shall the city issue any permits authorizing such signs.

i: Off-premise signs. Off-premise signs, including automotive signs, are prohibited except where permitted in this chapter.

j: Roof signs. Roof signs are not permitted within the city's corporate limits. No roof signs shall be erected, modified, or relocated, nor shall the city issue any permits authorizing such signs.

14.50.060 Sign area calculation

a Sign area for monument signs shall be calculated by determining the total surface area of the sign as viewed from any single vantage point

b Sign area for letters or symbols painted or mounted directly on walls or fences shall be calculated by measuring the smallest single rectangle which will enclose the combined letters and symbols

14.50.070 General sign requirements

a All signs, except community bulletin boards, political signs, real estate signs, and special event signs, shall be on-premise signs, provided that uses located in commercial, employment, and mixed use zones (Co, Eo, Mxd) may have 1 double-sided off-premise direction sign that identifies a common development, such as a shopping center or business park, of no more than 16 square feet

b Projecting and awning signs shall not be permitted for uses in the residential zones (Rmh-R16) In other zones, projecting and awning signs may be used in lieu or in combination with wall signs, provided

1) The signs maintain a minimum clearance of 8 feet above finished grade

2) The signs do not project more than 6 feet from the supporting building facade

3) The signs shall not exceed the number or size permitted for wall signs in a zone district

4) The signs do not contain internal illumination Illumination shall be achieved by indirect means such as ground-supported directional lighting or overhead goose-neck lamps

c Mechanical changing message center signs, which can be a wall or monument sign, shall not exceed the size permitted for a wall or monument sign, and shall be permitted only in the commercial and mixed use zones (Co and Mxd) Changing message center signs shall not exceed the maximum sign height permitted in the zone

d Directional signs shall not be included in the sign area or number limitation of this chapter, provided they shall not exceed 6 square feet in surface area and are limited to 1 for each entrance or exit to surface parking areas or parking structure

e Sign illumination and glare

1) All signs in the commercial, employment, and mixed use districts (Co, Eo, Mxd) may be illuminated Signs in all other zones may be indirectly illuminated, provided the light source for indirectly illuminated signs shall be no farther away from the sign than the height of the sign

2) Indirectly illuminated signs shall be arranged so that no direct rays of light are projected from such artificial source into residences or any street right-of-way

3) Electrical requirements for signs shall be governed by Chapter 19 28 of the Revised Code of Washington (RCW) and Chapter 296-46-910 of the Washington Administrative Code (WAC)

f Maximum height for wall signs shall not extend above the highest exterior wall upon which the sign is located

g: Except as otherwise permitted by this chapter, off-premise directional signs shall not exceed 4 square feet in sign area.

h: All signs shall also adhere to the design requirements described in the design overlay districts described elsewhere within this code.

14.50.080 Community bulletin board signs

a: Community bulletin board signs are permitted within a centrally planned development with the following limitations:

b: In the residential and public facility zones (Rmh-R16, Pf) double-sided community bulletin board signs may not exceed 32 square feet and are only permitted at public schools, libraries, city halls, police stations, fire stations, or other public facilities.

c: In the commercial, employment, and mixed use districts (Co, Eo, Mxd) double-sided community bulletin board signs may not exceed 40 square feet.

14.50.090 Open space zone signs

a: One residential identification sign, not exceeding 2 square feet, is permitted.

b: Two additional double-sided signs, not exceeding 32 square feet, are permitted to identify nonresidential uses or to advertise goods or services available on-site.

c: Monument signs shall not exceed a height of 8 feet, and shall be set back at least five (5) feet from street right-of-way.

d: Miscellaneous nonilluminated signs including no trespassing, stay out, no hunting, directional and warning signs, may be permitted without restriction.

14.50.100 Residential zone signs

Signs in the residential (Rmh-R16) zones are limited as follows:

a: Nonresidential use:

1) One sign identifying nonresidential uses, not exceeding 6 square feet, is permitted.

2) Home occupation, industry, and profession signs are limited to wall signs not exceeding 6 square feet.

b: Residential use:

1) Two residential identification signs not exceeding 2 square feet are permitted.

2) Two permanent residential development identification signs not exceeding 32 square feet for each sign are permitted per development. The maximum height for the sign shall be 6 feet. The sign may be monument or mounted on a wall, fence or other structure.

14.50.110 Employment zone signs

Signs in the employment (Eo) zone shall be limited as follows:

a: Wall signs are permitted, provided the signs do not total an area more than 40 square feet.

b Monument signs

- 1) One double-sided monument sign not exceeding 32 square feet is permitted
- 2) The maximum height for monument signs shall be 8 feet
- 3) Setback - Monument signs shall be placed no closer than five (5) feet from the edge of the public right of way

14.50.120 Commercial zone signs

Signs in the commercial (Co) zones shall be limited as follows

- a Wall signs are permitted up to 200 square feet in total area, but not covering more than 10 percent of the building facade on which the signs are located

b Monument signs

- 1) One double-sided monument sign not exceeding 32 square feet is permitted for each street frontage of the lot, provided corner lots with a street frontage of less than 100 feet on each street shall be permitted only 1 sign
- 2) Multiple tenant developments that have more than 300 feet of street frontage, or portion thereof Such signs shall be separated from one another by a minimum of 150 feet, if located on the same street frontage
- 3) On lots where more than 1 monument sign is permitted, the sign area permitted for individual signs may be combined, provided the combined sign does not exceed 50 square feet
- 4) The maximum height for monument signs shall be 8 feet
- 5) Setback - Monument signs shall be placed no closer than five (5) feet from the edge of the public right of way

14.50.130 Mixed use district signs

Signs in the mixed use district (Mxd) zones shall be limited as described in the design district standards provided elsewhere in these guidelines and as follows

- a Wall signs are permitted up to 200 square feet in total area provided the signs do not total an area more than 10 percent of the building facade on which the signs are located

b Monument signs within other mixed use districts outside of the Old Town/Riverfront overlay design district

- 1) One double-sided monument sign not exceeding 32 square feet is permitted for each street frontage of the lot, provided corner lots with a street frontage of less than 100 feet on each street shall be permitted only 1 sign
- 2) Multiple tenant developments that have more than 300 feet of street frontage, or portion thereof Such signs shall be separated from one another by a minimum of 150 feet, if located on the same street frontage
- 3) On lots where more than 1 monument sign is permitted, the sign area permitted for individual signs may be combined, provided the combined sign does not exceed 80 square feet

4) The maximum height for monument signs shall be 15 feet.

5) Setback - Monument signs shall be placed no closer than five (5) feet from the edge of the public right of way.

14.50.140 Public facility district signs

Signs in the public facility district (Pf) zone shall be limited as follows:

a: Wall signs are permitted up to 100 square feet in total area provided the signs do not total an area more than 10 percent of the building facade on which the signs are located.

b: Monument signs:

1) One double-sided monument sign not exceeding 32 square feet is permitted for each street frontage of the lot occupied by a public facility, provided corner lots with a street frontage of less than 100 feet on each street shall be permitted only 1 sign.

2) Multiple lot developments that have more than 300 feet of street frontage, or portion thereof. Such signs shall be separated from one another by a minimum of 150 feet, if located on the same street frontage.

3) On lots where more than 1 monument sign is permitted, the sign area permitted for individual signs may be combined; provided the combined sign does not exceed 50 square feet.

4) The maximum height for monument signs shall be 8 feet.

5) Setback - Monument signs shall be placed no closer than five (5) feet from the edge of the public right of way.

14.50.150 Neon illuminated sign

1) All signs illuminated in neon, other than standard "open" signs two square feet in size, shall be permitted by the Building and Planning Departments only after design review and approval has been given by the Development Review Committee (DRC).

14.50.160 Signs or displays of limited duration

The following temporary signs or displays are permitted and except as required by the Uniform Building Code, or as otherwise permitted in this chapter, do not require sign permits:

a: Sidewalk signs and displays:

1) Sandwichboard/A-frame signs: Sandwichboard/A-frame signs shall be permitted only if they comply with the following requirements:

a) They have a maximum size less than or equal to four square feet;

b) They are completely self-supporting, they can withstand a lateral pull of at least fifty pounds applied perpendicular to the plane of the sign at the highest point of the sign, and its center of gravity is not more than one-third the height of the sign above the sidewalk;

c) The sandwichboard/A-frame sign shall be out only during daylight hours;

d) The maximum height of the sign is four feet and the minimum height is two feet above the sidewalk;

e) All lettering on the sign is accomplished using professional stencils and any artwork is of a professional quality,

f) Only one sandwichboard/A-frame sign is permitted for a single business, except for real estate signs allowed under 14 50 160(e),

g) A sign permit is obtained from the City Building and Planning Departments, after the City has been indemnified against all damages, and has been named as co-insured with a minimum coverage of one million dollars,

h) A street use permit is obtained from the City Public Works Department unless otherwise waived

2) All special sidewalk signs, outdoor sales displays, and other retail oriented displays shall be removed from the public right-of-way during nonbusiness hours

b Grand opening displays

1) Temporary signs, posters, pennants, strings of lights, blinking lights, balloons, and searchlights are permitted for a period of up to 30 days to announce the opening of a new enterprise or the opening of an enterprise under new management

2) All grand opening displays shall be removed upon the expiration of 30 consecutive days

c Construction/Contractor signs

1) Construction/Contractor signs identifying architects, engineers, planners, contractors or other individuals or firms involved with the construction of a building and announcing the character of the building or the purpose for which the building is intended may be displayed

2) One nonilluminated, double-faced sign is permitted for each public street upon which the project fronts

3) No sign shall exceed 32 square feet in surface area or 8 feet in height, or be located closer than 25 feet from the property line of the adjoining property

4) Construction/Contractor signs must be removed by the date of first occupancy of the premises

5) Setback - Construction/Contractor signs shall be placed no closer than five (5) feet from the edge of the public right of way

d Political signs

1) Signs, posters or bills promoting or publicizing candidates for public office or issues that are to be voted upon in a general or special election may be displayed on private property with the consent of the property owner. Any such sign, poster or bill shall be removed within 5 days following the election

e Real estate signs

All temporary real estate signs can be single or double-faced signs

1) Signs advertising an individual residential unit for sale or rent shall be limited to 1 sign per street frontage. The sign may not exceed 6 square feet in area, and shall not exceed 6

feet in height. The sign shall be removed within 5 days after closing of the sale, lease or rental of the property.

2) Portable off-premise residential directional signs announcing directions to a residential property open house for sale or rent shall not exceed 6 square feet in area for each sign, and shall not exceed 42 inches in height. Signs shall be permitted during daylight hours and/or when the agent or seller is in attendance at the property for sale. They shall be completely self-supporting, able to withstand a lateral pull of at least fifty pounds applied perpendicular to the plane of the sign at the highest point of the sign, and its center of gravity is not more than one-third the height of the sign above the sidewalk. All lettering on the sign is accomplished using professional stencils and any artwork is of a professional quality.

3) On-site commercial or industrial property for sale or rent signs shall be limited to 1 sign per street frontage, and shall not exceed 32 square feet in area. The sign shall not exceed 8 feet in height. The sign shall be removed within 30 days of the sale, lease or rental of the property.

4) Residential neighborhood or multifamily complex for sale or rent signs shall be limited to 1 sign. The sign shall not exceed 32 square feet in area, and shall not exceed 8 feet in height.

5) Residential off-site directional signs shall be limited to 6 signs. Each sign shall not exceed 16 square feet in area, and shall include only the name of and directions to the subdivision or project. The sign(s) shall be placed a maximum of 2 miles from the nearest residential development entrance. No 2 signs for 1 residential development shall be located closer than 500 feet from one another on the same street, and may not be placed in the public right-of-way.

f: Community event signs:

1) Community event signs shall be limited to announcing or promoting a nonprofit sponsored community fair, festival or event.

2) Community event signs shall be removed by the event sponsor within 10 days following the end of the community fair, festival or event.

g: Other signs:

1) Garage sales, family reunions, special parties, and similar special and limited event signs may be displayed no earlier than 7 days prior to the event and shall be removed within 5 days after the event.

May 1, 2012

Bill Falcon
EF Print & Copy Center
Emerald Falcon Marketing, Inc.
P.O. Box 561 Duvall, WA 98019

Dear Mr. Falcon,

Thank you for contacting the Institute for Justice in regards to the City of Duvall's proposed changes to its sign code. We have preliminarily identified some areas of concern. Specifically, the sign code:

1. Regulates based on content;
2. Exempts government speech;
3. Impermissibly delegates basic policy matters to government inspectors for resolution;
4. Treats real estate signs differently from other classes of commercial speech;
5. Requires excessive insurance for A-Board signs;
6. Mandates approval by the Planning Director for all signs;

As you know, the Duval Municipal Code (DMC) subjects all signs to the design provisions of Chapter 14.50, except as provided for in DMC 14.50.060. DMC 14.50.020. DMC 14.50.060 exempts, inter alia, historical site markers or plaques, incidental signs,¹ state or federal flags, religious symbols, and public informational signs of a noncommercial nature. Temporary signs are prohibited "except as specifically allowed in DMC 14.50.150." DMC 14.50.050(D). DMC 14.50.150 allows A-Boards, Grand opening displays, Construction signs, Political signs, Real estate signs, Community Event signs, Community banner signs, Murals, and Miscellaneous signs, under certain detailed conditions.

There are several issues with the structure of Duvall's sign code. First, DMC 14.50.150(G) regulates based on content. DMC 14.50.050(G) prohibits portable and mobile readerboard signs, "except for signs permitted under political sign allowances elsewhere in this chapter." This section is a content-based restriction because it has specific exemptions for political speech. Once a sign ban makes content-based exemptions, it becomes content-based itself. *See Foti v. Menlo Park*, 146 F.3d 629, 636 (9th Cir. 1998). The ordinance is content-based

¹ An incidental sign is defined as "a sign, emblem or decal designed to inform the public of goods, facilities, or services available on the premises, and may include but not be limited to signs designating:

- a. Restrooms;
- b. Hours of operation;
- c. Acceptable credit cards;
- d. Property ownership or management;
- e. Phone booths; and
- f. Recycling containers.
- g. Warning Signs"

City of Duvall Definitions.

Exhibit 8

because an enforcement officer must read its content to determine if the sign is exempted from the ordinance. Content-based restrictions receive the highest judicial scrutiny and must serve a *compelling* government interest. The stated purposes of this sign ordinance are aesthetics, support of central gathering places and commercial services in the City, and regulation in a timely, flexible, and fair manner. DMC 14.50.010. Public interest, aesthetics, and the desire to curb the proliferation of signs are not compelling governmental interests. *See Open Door Baptist Church v. Clark County*, 140 Wn.2d 143, 156, 995 P.2d 33, 40 (2000).

Second, there is a wholesale exemption of government speech. DMC 14.50.060(H) exempts “public informational signs of a noncommercial nature and erected in the public interest, by or on the order of a city employee such as public events or city-sponsored functions” from the signage ordinance. Courts are troubled when government speech is exempted from regulations enforced on all other forms of speech. *See Foti*, 146 F.3d at 637.

Third, the sign restriction is likely unconstitutionally vague because it falls squarely into the class of statutes that impermissibly delegates basic policy matters to government inspectors for resolution on an ad hoc and subjective basis, with the attendant dangers of arbitrary and discriminatory application. A street use inspector charged to enforce the signage regulations must evaluate a number of factors: Is the sign exempt because it falls under DMC 14.50.060? Is the sign a temporary sign or a portable sign? If the sign is temporary, does the sign have a commercial, noncommercial, or political message? If the sign has a noncommercial message, did it involve a community event? *See Foti*, 146 F.3d at 636 (holding unconstitutionally vague a sign ordinance that required enforcement based on subjective considerations).

Fourth, the sign ordinance treats real estate signs differently from other classes of commercial speech. Real estate signs enjoy greater freedoms in terms of number, locations, size, and time under the code.

Number: “Only one A-Frame sign is permitted per tenant entry (public), except for real estate signs allowed under subsection 14.50.150(D) of this section.” DMC 14.50.150(A)(4). In contrast, the code allows for the possibility of multiple signs advertising individual residential units for sale or rent. *See* DMC 14.50.150(D)(1)(a) (one on-site *per street frontage*); (D)(1)(b) (one portable off-site *per turning movement*).

Location: A-Frame signs (non-real estate) “must be located within the lesser of the width of the tenant space or 20 feet of the public entry”. DMC 14.50.150(A)(5). Whereas, real estate signs, A-Board or other, may be located in city-street right-of-ways. DMC 14.50.150(D)(1).

Size: “A-Boards may not exceed three (3) feet in width and four (4) feet in height”. DMC 14.50.150(A)(1). As opposed to on-site real estate signs which may not exceed “thirty-two (32) square feet in area, and eight (8) feet in height.” DMC 14.50.150(D)(2)(c).

Time: “A-Boards shall only be displayed during business hours.” DMC 14.50.150(A)(8). Unlike on-site real estate signs which have no time restrictions during the sale, leasing, or rental period of the property.

This ordinance restricts certain commercial speech, based on its content, but carves out exceptions for other commercial speech. Commercial speech is constitutionally protected, but it

may be regulated because of the nature of the speech. See *Virginia Bd. of Pharmacy v. Virginia Consumer Council, Inc.*, 425 U.S. 748, 762-63, 771-72, n. 24 (1976). Commercial speech regulations are analyzed under an "intermediate scrutiny" test. *Central Hudson Gas & Elec. Corp. v. Public Serv. Comm'n*, 447 U.S. 557 (1980). *Central Hudson* established the intermediate scrutiny test used to review governmental restriction on commercial speech: (1) whether the speech concerns a lawful activity and is not misleading; (2) whether the regulation seeks to implement a *substantial* government interest; (3) whether that interest is directly and materially advanced by the regulations;² and (4) whether the regulation reaches no further than necessary to accomplish the given interest. The City of Duvall has not clearly shown that its proposed regulations satisfy the third and fourth prong of the *Central Hudson* test.

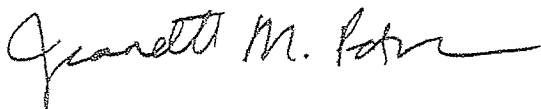
Fifth, the insurance requirements for A-Board signs are excessive. The sign code requires that the city be "named as co-insured on an insurance policy with a minimum coverage of one million dollars (\$1,000,000.00)." DMC 14.50.150(A)(6). While some Washington cities require hold harmless agreements, no other city requires a million dollar policy. See Olympia Municipal Code 18.42; Everett Municipal Code 36.140.

Sixth, all signs must first be approved by the Planning Director. The sign ordinance states "no sign shall be erected, altered, or relocated without approval by the Planning Director." DMC 14.50.030. In essence, the planning director is now Duvall's new Sign Czar. While this provision may not be unconstitutional it certainly smacks of "Duvall's way or the highway". Allowing one individual to have so much power over subjective decisions is quite frankly un-American. You may wish to suggest that this provision be more democratic.

We wish you the best of luck in helping to guide the City of Duvall in the rewrite of its sign code. Please keep us informed of the progress and let us know if there is any way we can be of assistance.

Sincerely,

Institute for Justice Washington Chapter



Jeanette M. Petersen
Attorney

² "[T]he government carries the burden of showing that the challenged regulation advances the Government's interest 'in a direct and material way.'" *Rubin v. Coors Brewing Co.*, 514 U.S. 476, 487 (1995) (quoting *Edenfield v. Fane*, 507 U.S. 761, 767 (1993)).



RECEIVED

JUL 11 2012

CITY OF DUVALL

DUVALL CHAMBER OF COMMERCE

July 11th, 2012,

RE: 2012 Sign Code Update

City of Duvall Planning Commissioners &
Planning Department Staff

Below are some topics the business community has discussed and would like to have considered as additions to the new sign code. The Duvall Chamber of Commerce fully supports these recommendations and hopes their addition to the code can be made with little or no alterations. If clarification is needed for the proposed topics please contact Chamber President Scott Thomas at 206-235-4979.

- Temporary signage shall be allowed for a consecutive 14 days in a 30 day rolling period. Each 14 day period would require a permit with a cost of \$25. Dated stickers will be placed on temporary signage by the city to assist in identifying approved signage. The business community would recognize a financial penalty and possible suspension of future permits being granted for violation of the 14 day time period.
 - An added thought to help with enforcement; can the city setup an email when a temporary sign permit is granted to automatically go out to the applicant a day or two before the permit expires?
- A boards shall be allowed to be displayed on any public frontage directly adjoining the lot in which the business is located.

- Pending approval from the Sign Review Committee per 14.50.140, monument signs may have an architectural element that may extend beyond the 10 foot height limit.
- A pilot program shall be enacted for electronic changeable signs. For example, some specifics of the program could be;
 - Electronic message signs allowed only in zones MU12, CO, LI and PF.
 - The pilot program shall be reviewed after three electronic changeable signs have been installed. In no case shall more than three electronic message signs be permitted until the pilot program is further accepted and codified or changed.
 - The changeable message area shall not exceed 40 percent of the sign area (body) and must be located on the lower 40% of the sign.
 - Changeable message sign may only be alphanumeric.
 - Signs shall not contain moving graphics, text, or video
 - Sign messages shall not change more than once every 60 seconds
 - Signs shall automatically dim during hours of darkness;
 - Businesses engaged in petroleum sales may be allowed to have electronic changeable signage, for gas prices only, regardless of zone.
- Real Estate A boards and portable off-premises residential directional signs announcing directions to an open house at a specified residence that is offered for sale or rent shall not exceed six square feet in area for each sign, and shall not exceed 42 inches in height. Such signs shall be permitted only when the agent or seller is in attendance at the property for sale or rent and may be located on the right-of-way outside of vehicular and bicycle lanes. These signs shall be allowed without city permit.

The Chamber of Commerce would like to thank the Commissioners and City Staff for their consideration of these amendments.

Sincerely,



Scott Thomas
 President,
 Duvall Chamber of Commerce
 P.O. Box 581
 Duvall, WA 98019

City Council 2012 Agenda Bill

City of Duvall
PO Box 1300
Duvall, WA 98019

ITEM INFORMATION			
Title:		Agenda Date: 7/26/12	Agenda Bill No. AB12-65
Lower Coe-Clemons Creek/Beaver Pond Wetland Restoration project		Department / Committee / Individual	Originator
		Mayor Will Ibershof	
		Planning Department – Lara Thomas	x
		Public Works – Steve Leniszewski	x
		Police Chief – Glenn Merryman	
Cost Impact:	tbd	Finance Department – Jill Long	
Fund Source:	001.21.532.20.41.03	City Attorney Review	Yes <input type="checkbox"/> No <input type="checkbox"/>
Timeline:	Aug. 2012 – Dec. 2015	Committee Review	Yes <input type="checkbox"/> No <input type="checkbox"/>
SUMMARY STATEMENT:		Name of Committee:	
<p>The project site is approximately 2.9 acres and will include the removal of non-native invasive plants species that include reed canary grass, Himalayan blackberry, Japanese Knotweed and other weedy species. Following initial weed control work, the restoration area will be replanted with native vegetation. Monitoring and maintenance will begin immediately after the native plants are installed and continue for three years.</p> <p>The restoration actions will improve an important floodplain reach of the creek that salmon utilize and will improve shading and decrease water temperature at the beaver pond.</p> <ul style="list-style-type: none"> Grant funds include staff time, consulting, design and permitting. Remaining funds will be used for the project award. 			
RECOMMENDED ACTION:			
<p>Authorize and approve the Mayor to sign the contract with the low responsible bidder for the Lower Coe-Clemons Creek/Beaver Pond Wetland Restoration Project.</p>			
AMENDED MOTION:			

RECORD OF COUNCIL ACTION	
Motion as Proposed Above	Amended Motion
Motion Made by:	Motion Made by:
Seconded by:	Seconded by:
Passed:	Passed:
Failed:	Failed:
Cattin:	Cattin:
Collinwood:	Collinwood:
Walker, E.:	Walker, E.:
Nixon:	Nixon:
Gill:	Gill:
Ockerlander:	Ockerlander:
Walker, J:	Walker, J: